

be valued for taxation purposes; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

And find the same correctly engrossed.
ROWELL, Chairman.

SIXTEENTH DAY.

(Monday, February 2, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Gray.
Albritton.	Hagaman.
Alexander	Hall.
of Bastrop.	Harman.
Alexander	High.
of Limestone.	Hollowell.
Atkinson.	Hoskins.
Avis.	Irwin.
Baker of Orange.	Jacks.
Baker of Panola.	Jasper.
Barker.	Johnson.
Barron.	Jones.
Bartlett.	Jordan.
Bateman.	Justice.
Bean.	Kemble.
Bedford.	Kenyon.
Bird.	King.
Blount.	Kinnear.
Bonham.	Kittrell.
Brown.	Laird.
Bryant.	Lane of Hamilton.
Cade.	Lane of Harrison.
Carter.	Lipscomb.
Chitwood.	Loftin.
Coffey.	Low.
Conway.	Mankin.
Coody.	Masterson.
Covey.	McBride.
Cox of Lamar.	McDonald.
Cox of Navarro.	McDougald.
Cummings.	McFarlane.
Dale.	McGill.
Daniels.	McKean.
Davis of Dallas.	McNatt.
Davis of Wood.	Merritt.
DeBerry.	Moore.
Donnell.	Nicholson.
Downs.	Parish.
Dunn of Falls.	Pavlica.
Dunn of Hopkins.	Pearce.
Enderby.	Perdue.
Farrar.	Petsch.
Faulk.	Poage.
Fields.	Pool.
Finlay.	Pope.
Florence.	Powell.
Foster.	Purl.
Frnka.	Rawlins.
Graves.	Raymer.

Renfro.	Stevenson.
Rice.	Stout.
Robinson.	Strong.
Rogers.	Thompson.
Rowell.	Tomme.
Sanford.	Veatch.
Shearer.	Walker.
Sheats.	Wallace.
Simmons.	Webb.
Sinks.	Wells.
Smith of Travis.	Westbrook.
Smyth.	Wester.
Sparks.	Williamson.
Stautzenberger.	Wilson.
Stell.	Woodruff.
Stevens.	Young.

Absent.

Houston.	Wade.
Teer.	
Absent—Excused.	

Amsler.	Kayton.
Bobbitt.	Maxwell.
Boggs.	Montgomery.
Dielmann.	Rowland.
Dinkle.	Runge.
Dunlap.	Simpson.
Durham.	Smith of Nueces.
Harper.	Storey.
Hull.	Taylor.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Dunlap for today, on motion of Mr. Jacks.

Mr. Simpson for today, on motion of Mr. Lane of Harrison.

Mr. Rowland for today, on motion of Mr. Kemble.

Mr. Kayton for today, on motion of Mr. Pope.

Mr. Harper for today, on motion of Mr. Stell.

Mr. Hull and Mr. Dielmann for today, on motion of Mr. Cade.

Mr. Amsler for today and tomorrow, on motion of Mr. Alexander.

Mr. Taylor for today, on motion of Mr. Fields.

Mr. Runge for today, on motion of Mr. Barron.

Mr. Bobbitt for today, on motion of Mr. Rawlins.

Mr. Montgomery for today, on motion of Mr. Nicholson.

Mr. Dinkle for today and the balance of the week, on motion of Mr. Donnell.

Mr. Storey for today, on motion of Mr. Daniels.

Mr. Finlay for last Thursday and Friday, on motion of Mr. Merritt.

The following members were granted leave of absence on account of sickness:

Mr. Smith of Nueces for today and tomorrow, on motion of Mr. Cox of Lamar.

Mr. Boggs for today, on motion of Mr. Cox of Lamar.

Mr. Durham for today, on motion of Mr. Bean.

HOUSE BILLS ON FIRST READING.

The following House bills introduced today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Cummings, Mr. Masterson, Mr. Low, and Mr. Jacks:

H. B. No. 304, A bill to be entitled "An Act to permit the issuance to, and use by Senators and members of the House of Representatives, and their families, of free transportation and sleeping accommodations."

Referred to Committee on State Affairs.

By Mr. Dielmann and Mr. Barron:

H. B. No. 305, A bill to be entitled "An Act to amend Article 4632 of Chapter 4, Title 8 of the Revised Civil Statutes of the State of Texas, relating to the granting of divorces, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Cummings (by request):

H. B. No. 306, A bill to be entitled "An Act providing that freight charges on car loads of coal delivered at any point within the State of Texas where railroad scales are owned, used or maintained at the point of delivery, or in the line of transit, shall be based upon the actual weight of said coal; prescribing the manner of weighing said coal; prescribing that certificates of such weight shall be given, and that no freight charges on said coal shall be due or payable until such certificates are given; providing a penalty for violation of any of the provisions of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Bonham:

H. B. No. 307, A bill to be entitled "An Act to amend Section 2 of Chapter 5, Special Laws of the Thirty-sixth Legislature, Third Called Session of 1920,

relating to the powers and privileges of the Sodville Independent School District, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Coffey:

H. B. No. 308, A bill to be entitled "An Act to establish a system of public roads and bridges for Denton county and to empower the commissioners court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes; to constitute each county commissioner ex-officio commissioner of the public roads and bridges of his precinct and to prescribe the powers and duties of the county commissioners pertaining to roads; to regulate the expenditure of moneys arising from the levy of taxes for road and bridge purposes; to designate and define certain cardinal roads in the county; to provide for the selection of a county engineer and for the employment of a consulting engineer, and for road construction; to employ special counsel for the county, when road matters are involved, and to empower the commissioners court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary, and to provide for the compensation of the commissioners for the performance of their duties under the terms of this act, and to prescribe penalties for the violation of this act, and repealing all laws in conflict with the provisions hereof, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Bartlett, Mr. Harman and Mr. Poage:

H. B. No. 309, A bill to be entitled "An Act to increase and fix the salary of the superintendent of public instruction of McLennan county, Texas; providing for office expenses, repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Dielmann:

H. B. No. 310, A bill to be entitled "An Act to amend Article 4610, Chapter 1, Title 68 of the Revised Civil Statutes of the State of Texas; and providing for the filing of notice of intention with the clerk of the county; providing how and by whom such notice shall be filed; providing for the posting of a copy of such

notice for at least five days at the courthouse door of the county; providing that no fee shall be charged for such filing and posting; providing for the issuance of a license after such notice has been posted for at least five days, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Dunn of Hopkins:

H. B. No. 311, A bill to be entitled "An Act authorizing any steam or electric railway company, street railway company, interurban railway company, sleeping car company, or other transportation company to transport on any interstate trip in this State any blind person, his or her guide for the same fare that one person is required to pay or furnish."

Referred to Committee on Common Carriers.

By Mr. Smith of Travis:

H. B. No. 312, A bill to be entitled "An Act to promote the efficiency of paid fire departments in the cities of this State with populations of 30,000 or over, to provide a two-platoon system in said cities, and define conditions under which the same shall be operated; to provide the manner of hearing charges preferred against men in said fire department and for the granting of vacations with pay; to regulate promotions for the men and to provide for the repeal of any law or laws or parts of same of any city ordinance or fire department rules or regulations or parts of same contrary to the provisions of this act."

Referred to Committee on State Affairs.

By Mr. Brown:

H. B. No. 313, A bill to be entitled "An Act to require payment of bonds and coupons promptly at the place of maturity, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Brown:

H. B. No. 314, A bill to be entitled "An Act to provide that all bonds of the State or any county or subdivision thereof, or any city or municipality or district within the State, shall be payable at one specific place of payment designated in the bond order or ordinance, and providing that all bonds purchased with public funds belonging to the State of Texas shall be payable at the office of the State Treasurer of the State of Texas, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Donnell:

H. B. No. 315, A bill to be entitled "An Act creating Red Ranger Common School District No. 116, in Bell county, Texas, fixing its boundaries by metes and bounds, dissolving and abolishing the old Cyclone School District No. 9, and out of a part of same by this special act creating and establishing the said Red Ranger Common School District No. 116, situated in said county of Bell; providing for the payment of any indebtedness and bonds, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Donnell:

H. B. No. 316, A bill to be entitled "An Act creating the Cyclone Common School District No. 9, in Bell county, Texas, fixing its boundaries by metes and bounds, dissolving and abolishing the old Common School District No. 9, in said county and State, and carving out of a part of the same, retaining its old name, that is the Cyclone Common School District No. 9, out of the eastern part of said old district, and by this special act creating the new, providing for the payment of outstanding bonds or other evidences of indebtedness, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Wester:

H. B. No. 317, A bill to be entitled "An Act creating and incorporating the Fivemile Independent School District in Dawson county, Texas, out of territory now composing Common School District No. 21 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Fivemile Independent School District shall assume all the obligations and indebtedness of said common school district No. 21, vesting title to property of said Common School District No. 21 in Fivemile Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Cade (by request):

H. B. No. 318, A bill to be entitled "An Act to promote health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering; defining a barber; providing for the appointment by the Governor of an examining board; providing compensation, defining the powers and duties of such board, regulating barber schools and colleges and apprentices and students therein, and providing penalties."

Referred to Committee on Public Health.

By Mr. Renfro:

H. B. No. 319, A bill to be entitled "An Act enlarging and re-establishing the limits and defining the territory embraced within the Theny Independent School District in Comanche county, Texas; divesting control of the free schools in said district from the existing district and investing the same in the district herein created, etc."

Referred to Committee on School Districts.

By Mr. Kinnear:

H. B. No. 320, A bill to be entitled "An Act to amend Article 6901a of Chapter 1, Title 119 of the Revised Statutes of Texas of 1911, as enacted by Chapter 29, of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Chapter 98 of the General Laws, Regular Session of the Thirty-sixth Legislature, and as amended by Chapter 184 of the General Laws, Regular Session of the Thirty-eighth Legislature, being an act to change the designated year upon which is based the assessed valuation of taxable properties affected by the act to be amended, and relating to the compensation of county commissioners; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Cade and Mr. Williamson:

H. B. No. 321, A bill to be entitled "An Act providing for the protection of rainbow trout in the fresh waters of Texas; providing for a two-year closed season, and a closed season during certain months thereafter; prescribing a legal size and a daily bag limit, prohibiting the sale and barter of rainbow trout;

prescribing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Dunn of Hopkins and Mr. Stevenson:

H. B. No. 322, A bill to be entitled "An Act creating an illiteracy board for Texas, defining the powers and duties of said board, and making an appropriation for the work to be carried on under the direction of said board, and declaring an emergency."

Referred to Committee on Education.

By Mr. Pearce and others:

H. B. No. 323, A bill to be entitled "An Act repealing Chapter 25 of the General Laws of the Second Called Session of the Thirty-eighth Legislature, relating to State parks and creating a State parks board; refusing to accept title to any land donated or deeded to the State pursuant to said act of the Thirty-eighth Legislature, and returning to the donors any land donated or deeded pursuant to said act, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. McDougald:

H. B. No. 324, A bill to be entitled "An Act amending Chapter 16 of the Local and Special Laws of the Thirty-sixth Legislature, being an act passed at the Regular Session thereof and approved on the nineteenth day of February, 1919, and incorporating the Saratoga Independent School District and defining its boundaries; divesting the county of Hardin of the control of schools in Common School District No. 17, and fixing the same in the board of trustees of Saratoga Independent School District; and providing for the assumption by the said Saratoga Independent School District of all debts, bonds and other obligations of Common School District No. 17 of Hardin county, Texas, and other common school districts whose boundaries are affected by this act, and providing for the election of board of trustees and defining the powers given said independent school district through its said board of trustees; providing for the filling of vacancies in such board, giving same said board the power to manage and control, maintain and operate the public free school district to continue as such trustees under this act; making said school district a body politic with right to sue and be sued, contract and be contracted with, pro-

viding for the election and qualification of trustees for said district; providing for the appointment of a tax collector and tax assessor; providing for the appointment of a board of equalization by the board; defining the powers of the board of trustees to contract with the superintendent, principal and teachers of said school district; repealing all laws and parts of law in conflict with this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Barker:

H. B. No. 325, A bill to be entitled "An Act repealing Chapter 14 of the Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Third Called Session, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Barker:

H. B. No. 326, A bill to be entitled "An Act to prevent the hunting or killing of certain birds for the period of five years, from February 1, 1925, and prescribing a penalty."

Referred to Committee on Game and Fisheries.

By Mr. McFarlane and Mr. Cummings:

H. B. No. 327, A bill to be entitled "An Act amending Article 1591 of the Revised Civil Statutes of 1911, as amended by Chapter 56, General Laws of the Regular Session of the Thirty-eighth Legislature, so as to make the decision of the courts of civil appeals final in all cases in which the county court has original jurisdiction, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Foster:

H. B. No. 328, A bill to be entitled "An Act regulating the manner in which all cities and towns in Texas of a population of more than one thousand (1000) inhabitants, whether incorporated under the general laws of Texas or operating under a special charter, owning and operating a public utility or any public utilities, shall operate and manage, and appropriate and expend the income from such utility or utilities; providing that the income from the operation of one public utility, where more than one is operated, shall never be applied to pay any part of the operating expense and maintenance, insurance, depreciation nor interest nor sinking fund of any other

public utility, so owned and operated; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Rogers:

H. B. No. 329, A bill to be entitled "An Act repealing Chapter 8 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Fields:

H. B. No. 330, A bill to be entitled "An Act to further define the offense of sodomy."

Referred to Committee on Criminal Jurisprudence.

By Mr. Fields:

H. B. No. 331, A bill to be entitled "An Act fixing the venue of the offense of abortion."

Referred to Committee on Criminal Jurisprudence.

HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read severally first time, and referred to the Committee on Constitutional Amendments:

By Mr. Dale:

H. J. R. No. 10, Proposing an amendment to Section 3 of Article 7 of the Constitution of Texas so as to repeal that portion of said section making it the duty of the State Board of Education to set aside a sufficient amount of taxes to provide free text books for the use of children attending the public free schools of this State.

By Mr. Gray:

H. J. R. No. 11, Proposing an amendment to Section 26, Article 5, of the Constitution of the State of Texas, to provide that the Governor of the State of Texas may appoint notaries public at any time, and it shall not be necessary that notaries public appointed by the Governor be confirmed by the State Senate of Texas.

By Mr. McFarlane and Mr. Cummings:

H. J. R. No. 12, Proposing an amendment to the Constitution of the State of Texas so as to increase the membership of the Supreme Court of Texas.

BILLS ORDERED NOT PRINTED.

On motion of Mr. DeBerry, the following local bills were ordered not printed:

House bills Nos. 267, 216, 252, 212; and Senate bills Nos. 111, 109, 108, 42, 65 and 80.

On motion of Mr. Robinson, House bill No. 255 was ordered not printed.

RESOLUTION ORDERED PRINTED.

On motion of Mr. Merritt, H. J. R. No. 3, reported adversely with a minority favorable report, was ordered printed.

BILL RECOMMITTED.

Mr. Williamson moved that House bill No. 88 be recommitted to the Committee on Revenue and Taxation.

Mr. Dale moved to table the motion to recommit, and the motion to table was lost.

Question then recurring on the motion to recommit, it prevailed.

*** BILLS ORDERED PRINTED.**

On motion of Mr. Kittrell, House bill No. 272, reported adversely with a minority favorable report, was ordered printed.

On motion of Mr. Bean, House bill No. 98, reported adversely with a minority favorable report, was ordered printed.

Mr. DeBerry moved that House bill No. 36, reported adversely with a minority favorable report, be printed.

Mr. Purl raised a point of order on consideration of the motion on the ground that no notice was given in the committee of a minority report.

The Speaker overruled the point of order.

(Mr. Jacks in the chair.)

Question recurring on the motion to print, it prevailed.

(Speaker in the chair.)

BILLS RE-REFERRED.

On motion of Mr. Kemble, House bill No. 257 was withdrawn from the Committee on Labor and referred to the Committee on Insurance.

On motion of Mr. Albritton, House bill No. 300 was withdrawn from the Committee on Labor and referred to the Committee on Common Carriers.

NOTICES GIVEN.

Mr. Hall gave notice that he would, on tomorrow, call up for consideration

at that time motion to reconsider the vote by which Senate bill No. 67 failed to pass.

Mr. Wells gave notice that he would, on tomorrow, ask to be taken up at that time House bill No. 6, which bill had heretofore been laid on the table subject to call.

Mr. Kinnear gave notice that he would on tomorrow ask to be taken up for consideration at that time House bill No. 70, which bill had heretofore been laid on the table, subject to call.

PROVIDING FOR INCREASE OF PAGES' PAY.

Mr. Jacks offered the following resolution:

Whereas, The pages in the House of Representatives are receiving at the present time the sum of \$2 per day; and

Whereas, The pages heretofore, in the various sessions of the Legislature, have received a compensation of \$2.50 per day; and

Whereas, The high cost of living is at the present higher than at any other time; and

Whereas, The present pages of the House are over-worked and under-paid; and

Whereas, The pages in the Senate receive a compensation of \$3 per day, although their work is not as burdensome as the pages' of the House; therefore, be it

Resolved by the House of Representatives, That the compensation of the various pages of the House be increased from \$2 to \$2.50 per day.

Signed—Jacks, Kenyon, Rowell, Daniels, Johnson, Cummings, Strong, Smith of Travis, McDougald, Robinson.

The resolution was read second time.

Mr. McFarlane moved to table the resolution.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—47.

Acker.	Cox of Lamar.
Albritton.	Dale.
Alexander	Davis of Dallas.
of Bastrop.	Davis of Wood.
Alexander	Donnell.
of Limestone.	Enderby.
Avis.	Finlay.
Bean.	Hagaman.
Bedford.	Hollowell.
Bird.	Hoskins.
Bryant.	King.
Cade.	Lane of Hamilton.
Coffey.	Mankin.
Conway.	McBride.

McDonald.	Renfro.
McFarlane.	Rogers.
Moore.	Sinks.
Pavlica.	Stautzenberger.
Pearce.	Teer.
Perdue.	Thompson.
Poage.	Veatch.
Pope.	Walker.
Powell.	Wallace.
Purl.	Williamson.
Raymer.	

Nays—59.

Atkinson.	Justice.
Baker of Orange.	Kenyon.
Baker of Panola.	Kinnear.
Barker.	Laird.
Barron.	Lane of Harrison.
Bateman.	Low.
Carter.	Masterson.
Chitwood.	McDougald.
Coody.	McGill.
Cox of Navarro.	McKean.
Cummings.	Merritt.
Daniels.	Parish.
DeBerry.	Rawlins.
Downs.	Rice.
Dunn of Falls.	Robinson.
Dunn of Hopkins.	Rowell.
Farrar.	Sheats.
Fields.	Simmons.
Florence.	Smith of Travis.
Foster.	Sparks.
Frnka.	Stell.
Graves.	Stout.
Gray.	Strong.
Hall.	Tomme.
Harman.	Webb.
High.	Wells.
Jacks.	Westbrook.
Johnson.	Wilson.
Jones.	Young.
Jordan.	

Present—Not Voting.

Brown.	Stevenson.
McNatt.	

Absent.

Bartlett.	Loftin.
Blount.	Nicholson.
Bonham.	Petsch.
Covey.	Pool.
Faulk.	Sanford.
Houston.	Shearer.
Irwin.	Smyth.
Jasper.	Stevens.
Kemble.	Wade.
Kittrell.	Wester.
Lipscomb.	Woodruff.

Absent—Excused.

Amsler.	Dunlap.
Bobbitt.	Durham.
Boggs.	Harper.
Dielmann.	Hull.
Dinkle.	Kayton.

Maxwell.	Simpson.
Montgomery.	Smith of Nueces.
Rowland.	Storey.
Runge.	Taylor.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—66.

Acker.	Jordan.
Alexander	Justice.
of Bastrop.	Kemble.
Baker of Orange.	Kenyon.
Baker of Panola.	Kinnear.
Barker.	Lane of Hamilton.
Barron.	Lane of Harrison.
Bartlett.	Low.
Bedford.	Masterson.
Cade.	McDougald.
Carter.	McGill.
Chitwood.	McKean.
Coody.	Merritt.
Covey.	Nicholson.
Daniels.	Parish.
DeBerry.	Rawlins.
Donnell.	Rice.
Downs.	Robinson.
Dunn of Falls.	Rogers.
Dunn of Hopkins.	Rowell.
Farrar.	Sheats.
Fields.	Smith of Nueces.
Florence.	Stell.
Foster.	Stevenson.
Frnka.	Strong.
Graves.	Tomme.
Gray.	Walker.
Hagaman.	Webb.
Hall.	Wells.
Harman.	Westbrook.
Irwin.	Wester.
Jacks.	Wilson.
Jasper.	Woodruff.
Johnson.	Young.
Jones.	

Nays—43.

Albritton.	Hoskins.
Alexander	King.
of Limestone.	Laird.
Atkinson.	Mankin.
Avis.	McBride.
Bateman.	McDonald.
Bean.	McFarlane.
Bird.	Pavlica.
Bryant.	Pearce.
Coffey.	Perdue.
Conway.	Poage.
Cox of Lamar.	Pope.
Cox of Navarro.	Powell.
Dale.	Raymer.
Davis of Dallas.	Renfro.
Davis of Wood.	Shearer.
Enderby.	Simmons.
High.	Sinks.
Hollowell.	Sparks.

Stautzenberger. Thompson.
Stout. Veatch.
Teer.

Present—Not Voting.

McNatt.

Absent.

Blount. Moore.
Bonham. Petsch.
Brown. Pool.
Cummings. Purl.
Faulk. Sanford.
Finlay. Smyth.
Houston. Stevens.
Kittrell. Wade.
Lipscomb. Wallace.
Loftin. Williamson.

Absent—Excused.

Amsler. Kayton.
Bobbitt. Maxwell.
Boggs. Montgomery.
Dielmann. Rowland.
Dinkle. Runge.
Dunlap. Simpson.
Durham. Smith of Travis.
Harper. Storey.
Hull. Taylor.

Mr. Jacks moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

RELATING TO PAY OF ASSISTANT CALENDAR CLERK.

Mr. Poage offered the following resolution:

Whereas, Our Assistant Calendar Clerk is rendering efficient, valuable and faithful services to the House; be it

Resolved, Her salary be made the same as that of the Assistant Reading Clerk, \$7.50 per day.

The resolution was read second time and was adopted by the following vote:

Yeas—72.

Acker. Coody.
Alexander. Cox of Lamar.
of Limestone. Cox of Navarro.
Baker of Orange. DeBerry.
Baker of Panola. Donnell.
Barker. Dunn of Falls.
Barron. Dunn of Hopkins.
Bartlett. Finlay.
Bateman. Florence.
Bird. Foster.
Bonham. Frnka.
Brown. Graves.
Carter. Gray.
Chitwood. Hall.
Coffey. Harman.
Conway. Irwin.

Jacks. Pool.
Jasper. Purl.
Johnson. Rawlins.
Jones. Raymer.
Jordan. Renfro.
Kemble. Rice.
Kenyon. Robinson.
Kinnear. Rogers.
Kittrell. Rowell.
Lane of Harrison. Shearer.
Low. Sheats.
Masterson. Smith of Travis.
McBride. Stell.
McDougald. Stevenson.
McGill. Strong.
McKean. Tomme.
McNatt. Wells.
Moore. Wilson.
Nicholson. Woodruff.
Parish. Young.
Poage.

Nays—38.

Albritton. Mankin.
Alexander. McFarlane.
of Bastrop. Merritt.
Avis. Pavlica.
Bean. Pearce.
Bedford. Perdue.
Cade. Pope.
Covey. Powell.
Davis of Dallas. Simmons.
Davis of Wood. Sinks.
Enderby. Sparks.
Farrar. Stautzenberger.
Fields. Stevens.
Hagaman. Stout.
High. Thompson.
Hollowell. Veatch.
Hoskins. Walker.
Justice. Webb.
King. Westbrook.
Lane of Hamilton. Wester.

Present—Not Voting.

McDonald.

Absent.

Atkinson. Lipscomb.
Blount. Loftin.
Bryant. Petsch.
Cummings. Sanford.
Dale. Smyth.
Daniels. Teer.
Downs. Wade.
Faulk. Wallace.
Houston. Williamson.
Laird.

Absent—Excused.

Amsler. Harper.
Bobbitt. Hull.
Boggs. Kayton.
Dielmann. Maxwell.
Dinkle. Montgomery.
Dunlap. Rowland.
Durham. Runge.

Simpson. Storey.
Smith of Nueces. Taylor.

ACCEPTING CERTAIN INVITATIONS.

Mr. Raymer offered the following resolution:

Whereas, The Department of Home Economics of the University of Texas has established the custom of entertaining the members of the Legislature at dinner during the sessions of this body; and

Whereas, The entertainments of the past have always been of the most entertaining and enjoyable character; be it therefore

Resolved, That the invitations which have been distributed to the members of this body this morning by said Department of Home Economics of the University of Texas be accepted by the members of this House.

Signed—Raymer, Rawlins.

The resolution was read second time and was adopted.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 34, "An Act creating and incorporating Acuff Independent School District in Lubbock county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, power, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Acuff Independent School District shall assume and discharge any and all valid outstanding obligations and indebtedness of Acuff Common School District No. 16 in Lubbock county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Acuff Common School District No. 16; providing the title to all property now vested in Acuff Common School District No. 16 shall, on the passage of this act, be vested in Acuff Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation

by the courts of any provision of this act shall not invalidate any remaining portion or provisions, and declaring an emergency."

S. B. No. 47, "An Act validating Common School District No. 25 of Gaines county, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines county in respect to said district, and declaring an emergency."

S. B. No. 48, "An Act validating Common School District No. 11 of Gaines county, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines county in respect to said district, and declaring an emergency."

S. B. No. 49, "An Act validating Common School District No. 26 of Gaines county, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines county in respect to said district, and declaring an emergency."

S. B. No. 50, "An Act validating Common School District No. 27 of Gaines county, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines county in respect to said district, and declaring an emergency."

PROVIDING FOR COMMITTEE TO SELECT STATE SONG.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 9, Relating to State song.

Whereas, The Hon. Pat M. Neff, as Governor of the State of Texas, has submitted an executive message to the Legislature, dated January 15, 1925, regarding the adoption of a State song for the State of Texas, in which it is stated that a prize of \$1000 has been offered as an inducement for the writing of a State song which may be adopted by the Legislature of the State of Texas; and

Whereas, In response to said offer and request for a State song numerous songs have been written for adoption; and

Whereas, Numerous other songs have been written by people who did not compete in the contest for said prize, but who desire to submit songs to a joint committee of House and Senate for adoption as the song of our State; therefore, be it

Resolved, That a joint committee of the House and Senate of the Thirty-ninth

Legislature be selected to consider and pass upon songs that may be submitted to said committee by anyone who may have a song that they desire to have adopted as a State song, and further that said committee shall have the authority to recommend a song among those submitted, for adoption as the State song of the State of Texas, such committee to consist of five members of the House of Representatives and three members of the Senate of the Thirty-ninth Legislature to be appointed by the Speaker of the House and the Lieutenant Governor, and that said committee be requested to report back to the Thirty-ninth Legislature their recommendations.

The resolution was read second time and was adopted.

RELATING TO THE DIARY OF CAPT. ADOLPHUS STERNE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 15, Relating to diary of Capt. Adolphus Sterne.

Whereas, Capt. Adolphus Sterne, one of the outstanding makers of early Texas history from 1824 to 1852, organized the "New Orleans Grays," which assisted Colonels Milam and Johnson in capturing Bexar, and as captain of a volunteer company led his men to victory in the last battle of the Cherokee war, and served his fellow Texans in various civil capacities of justice of the peace, county commissioner, postmaster and State Senator; and

Whereas, The diary of Capt. Adolphus Sterne is in the possession of his son, Charles Adolphus Sterne, of Palestine; and

Whereas, Through the efforts of Miss Kate Hunter of Palestine, a member of the Texas Library and Historical Commission, Mr. Sterne has consented to present his father's diary, consisting of five volumes, to the State of Texas to be deposited in the archives of the Texas State Library; and

Whereas, Mr. Sterne, on account of his extreme age of ninety-three, has delivered to Hon. Albert G. Greenwood as his trustee, the diary of his father to be presented to the State of Texas as a gift from him; therefore be it

Resolved by the Senate, the House of Representatives concurring, That the State of Texas accept the Diary of Capt. Adolphus Sterne to be deposited in the archives of the Texas State Library; and be it further

Resolved, That a committee of three

of the Senate and five of the House be appointed to make suitable arrangements for the presentation and acceptance of the diary and that Capt. Adolphus Sterne of Palestine be notified of this action of the Legislature, and be requested to be present on this occasion; and be it further

Resolved, That the members of the Library and Historical Commission, the members of the Daughters of the Texas Republic, and the members of the Daughters of the Confederacy be invited to be present; and be it further

Resolved, That the hour set for the presentation and the acceptance of the diary of Capt. Adolphus Sterne be fixed at 11 o'clock a. m., Tuesday, February 10, 1925.

The resolution was read second time and was adopted.

RELATING TO HOUSE VOTING MACHINE.

The Speaker laid before the House and had read a telegram from the Oklahoma Legislature making inquiry about the House voting machine.

Mr. Hall moved that the Speaker wire the Oklahoma House of Representatives the approval of the House of the voting machine.

The motion prevailed unanimously.

HOUSE BILL NO. 107 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 107, A bill to be entitled "An Act to amend Section 2, Chapter 23, Acts of the Second Called Session of the Thirty-sixth Legislature, fixing a maximum portion of the thirty-five cent ad valorem school tax to be used for purchase and distribution of free text books, and declaring an emergency."

The bill having heretofore been read second time.

Mr. Nicholson offered the following amendment to the bill:

Amend House bill No. 107 by substituting for the word "seven" in line No. 19, the word "six."

On motion of Mr. Strong, the amendment was tabled.

House bill No. 107 was then passed to engrossment.

HOUSE BILL NO. 107 ON THIRD READING.

Mr. Laird moved that the constitutional rule requiring bills to be read on three several days be suspended and

that House bill No. 107 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Acker.	Justice.
Albritton.	Kemble.
Alexander	Kenyon.
of Bastrop.	Laird.
Alexander	Lane of Hamilton.
of Limestone.	Lane of Harrison.
Atkinson.	Loftin.
Avis.	Low.
Baker of Orange.	Mankin.
Baker of Panola.	Masterson.
Barker.	McBride.
Barron.	McDonald.
Bartlett.	McFarlane.
Bateman.	McGill.
Bean.	McNatt.
Bedford.	Merritt.
Bird.	Moore.
Bonham.	Nicholson.
Brown.	Parish.
Bryant.	Pavlica.
Cade.	Pearce.
Carter.	Perdue.
Chitwood.	Poage.
Coffey.	Pool.
Conway.	Pope.
Coody.	Purl.
Cox of Lamar.	Rawlins.
Cox of Navarro.	Renfro.
Cummings.	Rice.
Dale.	Robinson.
Daniels.	Rogers.
Davis of Dallas.	Rowell.
Davis of Wood.	Shearer.
DeBerry.	Sheats.
Donnell.	Simmons.
Downs.	Sinks.
Dunn of Falls.	Smith of Travis.
Dunn of Hopkins.	Smyth.
Enderby.	Stautzenberger.
Farrar.	Stell.
Faulk.	Stevens.
Fields.	Stevenson.
Florence.	Strong.
Foster.	Teer.
Frnka.	Thompson.
Graves.	Tomme.
Gray.	Veatch.
Hall.	Wallace.
Harman.	Webb.
High.	Wells.
Hollowell.	Westbrook.
Hoskins.	Wester.
Irwin.	Williamson.
Jacks.	Woodruff.
Jasper.	Young.
Jones.	

Nays—8.

Hagaman.	Sparks.
Kinnear.	Stout.
Kittrell.	Walker.
McDougald.	Wilson.

Absent.

Blount.	Lipscomb.
Covey.	McKean.
Finlay.	Petsch.
Houston.	Powell.
Johnson.	Raymer.
Jordan.	Sanford.
King.	Wade.

Absent—Excused.

Amsler.	Kayton.
Bobbitt.	Maxwell.
Boggs.	Montgomery.
Dielmann.	Rowland.
Dinkle.	Runge.
Dunlap.	Simpson.
Durham.	Smith of Nueces.
Harper.	Storey.
Hull.	Taylor.

The Speaker then laid House bill No. 107 before the House on its third reading and final passage.

The bill was read third time and was passed.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 56, A bill to be entitled, "An Act to require all railway companies, and all other persons, firms, and corporations to place all bridges, viaducts, over-headways, foot-bridges or wires wherever built or placed over the tracks of a railway not less than twenty-two (22) feet from the top of the rails of such track, and to place all loading platforms, houses, structures, fences, lumber, wood and other materials wherever built, placed or stored along railway lines, spurs, switches, or sidings not less than six (6) feet from the outside rails of such main line, spur, switch or siding track; providing distance of roof of loading platforms from such track; providing a penalty for the violation of such act, to be collected by civil suit; providing for the promulgation of rules by the Railroad Commissioners in accordance with the act, for the supervision by the commission of the enforcement of such rules, and reporting any violation of the act to the Attorney General; providing further for modifications of the requirements of the act by the Railroad Commission in stipulated cases, and declaring an emergency."

S. B. No. 18, A bill to be entitled "An Act to amend Chapter 15, pages 30 and 31 of the laws passed at the Regular Session of the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Eighty-third Judicial District so that Section 1 of said act, as it relates to said Eighty-third Judicial District shall hereafter read as follows, and declaring an emergency."

S. B. No. 186, A bill to be entitled "An Act repealing Sections 1 to 14, both numbers inclusive, of Chapter 115, Special Laws enacted by the Regular Session of the Thirty-third Legislature, approved March 31, 1913, and Chapter 114, Acts Thirty-fifth Legislature, 1917, same being an act creating more efficient road system for Zavalla county, Texas; adopting for said county the general laws of the State in relating to the issuance of bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes or in aid thereof; validating Road District No. 4 and bond elections heretofore held, and declaring an emergency."

S. B. No. 182, A bill to be entitled "An Act to amend Section 52 of Article 30, Title 5 of the Revised Civil Statutes of Texas, as amended by Chapter 100 of the General Laws of the State of Texas passed by the Thirty-eighth Legislature at its Regular Session, changing the time of holding the terms of the district court of the Fifty-second Judicial District of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

I am instructed by Senate to inform the House that the Senate has adopted the conference committee report on Senate bill No. 101.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

HOUSE BILL NO. 110 ON SECOND READING.

On motion of Mr. Gray, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 110, A bill to be entitled "An Act providing that counties that borrowed money from the State of Texas under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature, passed at the Fourth Called Session, may by payment of accrued interest be given an option of five years

additional time in which to return the principal, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 110 ON THIRD READING.

Mr. Pearce moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 110 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Acker.	Jacks.
Albritton.	Jasper.
Alexander	Johnson.
of Limestone.	Jones.
Atkinson.	Jordan.
Avis.	Justice.
Baker of Panola.	Kayton.
Barron.	Kenyon.
Bartlett.	King.
Bateman.	Kinnear.
Bean.	Kittrell.
Bedford.	Laird.
Bonham.	Lane of Hamilton.
Brown.	Lane of Harrison.
Bryant.	Loftin.
Cade.	Mankin.
Carter.	Masterson.
Chitwood.	McBride.
Coffey.	McDonald.
Conway.	McDougald.
Coody.	McFarlane.
Covey.	McKean.
Cox of Lamar.	McNatt.
Cox of Navarro.	Merritt.
Cummings.	Moore.
Dale.	Nicholson.
Daniels.	Parish.
Davis of Dallas.	Pavlica.
Davis of Wood.	Pearce.
DeBerry.	Perdue.
Donnell.	Petsch.
Downs.	Poage.
Dunn of Falls.	Pool.
Dunn of Hopkins.	Pope.
Enderby.	Powell.
Farrar.	Purl.
Faulk.	Rawlins.
Fields.	Raymer.
Finlay.	Renfro.
Frnka.	Rice.
Graves.	Robinson.
Gray.	Rogers.
Hagaman.	Shearer.
Hall.	Sheats.
Harman.	Simmons.
Harper.	Sinks.
High.	Smyth.
Hollowell.	Sparks.
Hull.	Stautzenberger.
Irwin.	Stell.

Stevens.	Webb.
Stevenson.	Wells.
Stout.	Westbrook.
Strong.	Wester.
Teer.	Williamson.
Thompson.	Wilson.
Tomme.	Woodruff.
Veatch.	Young.
Walker.	

Nays—1.

Bird.

Present—Not Voting.

Baker of Orange.

Absent.

Alexander	Lipscomb.
of Bastrop.	Low.
Barker.	McGill.
Blount.	Rowell.
Florence.	Sanford.
Foster.	Smith of Travis.
Hoskins.	Wade.
Houston.	Wallace.
Kemble.	

Absent—Excused.

Amsler.	Montgomery.
Bobbitt.	Rowland.
Boggs.	Runge.
Dielmann.	Simpson.
Dinkle.	Smith of Nueces.
Dunlap.	Storey.
Durham.	Taylor.
Maxwell.	

The Speaker then laid House bill No. 110 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 161 ON SECOND READING.

On motion of Mr. Young the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 161, A bill to be entitled "An Act prohibiting the employment of children under fifteen years of age to labor in certain occupations; prohibiting the employment of children under seventeen years of age to labor in certain occupations; prohibiting the sending of children under seventeen years of age to certain places; limiting the hours of labor for children under fifteen years of age; providing for permits to be issued by the county judge for children between the ages of twelve and fifteen years to labor in certain occupations and under certain conditions; requiring employers employing children between the ages of twelve and fifteen to secure

and post permits where a child is employed; providing how such permits may be secured; giving the Commissioner of Labor Statistics, or his deputies or inspectors, free access to all places where children or minors are employed; providing penalties for violations of the act, and repealing all laws and parts of laws in conflict with the act, and declaring an emergency."

(Mr. Hall in the chair.)

The Speaker laid the bill before the House, and it was read second time.

Mr. Young offered the following (committee) amendment to the bill:

In Section 5 adding in line 10 after the word "school" the following: "or its equivalent."

Mr. Purl moved that further consideration of the bill be postponed until 2 o'clock p. m. tomorrow.

Mr. Baker of Orange moved to table the motion to postpone and the motion to table was lost.

Mr. Young moved as a substitute that the bill be set as a special order for 3 o'clock p. m. tomorrow.

Question first recurring on the substitute motion by Mr. Young, it prevailed.

RECESS.

On motion of Mr. Kemble, the House, at 11:50 o'clock a. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

SENATE BILLS ON FIRST READING.

The following Senate bills received from the Senate today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 182, to the Committee on Judicial Districts.

Senate bill No. 18, to the Committee on Judicial Districts.

Senate bill No. 186, to the Committee on Highways and Motor Traffic.

Senate bill No. 56, to the Committee on Common Carriers.

COMMITTEE AMENDMENT ORDERED PRINTED.

On motion of Mr. Stevenson, by unanimous consent, the committee amendment to House bill No. 218 was ordered printed instead of the original bill.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 101.

The Speaker laid before the House for consideration at this time the following Conference Committee report on Senate bill No. 101:

Committee Room,
Austin, Texas, February 2, 1925.

Hon. Barry Miler, President of the Senate, and Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sirs: We, your conference committee appointed by your respective bodies to consider Senate bill No. 101 as substituted by House bill No. 194, have had said bill under consideration and beg leave to report that we have reached the following agreement:

The only material changes in the House bill are, a reduction of the number of district attorneys from forty-nine to forty-seven, and a reduction of the appropriation item from \$25,000 to \$23,500 in each year under the Comptroller's Department, and the addition of the Commission of Appeals for the coming biennium in the sum of \$43,620 for each year as provided by Senate bill No. 101.

The Senate bill provides for the "Fees of county attorneys, justices of the peace, sheriffs and constables in examining trials," \$75,000 for each year, and the House bill provides for the same item \$70,000 for each year. The House provision is adopted as to this item.

The other changes are small in amount and will more fully appear by reference to the conference committee report attached hereto and made a part hereof.

Respectfully submitted,

DAVIS,
MOORE of Hunt,
STRONG,
FAIRCHILD,
WOOD,

On part of the Senate.

BLOUNT,
SANFORD,
WADE,
ROWELL,
STEVENS,

On part of the House.

A BILL

To Be Entitled

An Act making appropriations to pay salaries of judges, and the support and maintenance of the Judicial Department of the State government for the two-year period beginning September 1, 1925, and ending August 31, 1927, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the salaries of judges, and for the support and maintenance of the Judicial Department of the State government for the two-year period beginning September 1, 1925, and ending August 31, 1927.

JUDICIARY.

Court of Civil Appeals, First District, Galveston.

For the years ending
Aug. 31, Aug. 31,
1926. 1927.

Salaries of:

Three judges...	\$ 15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Books for library.	500	500
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	600	600
Fuel and lights..	300	300
Furniture and typewriters ...	200	100
Totals.....	\$ 23,300	\$ 23,200

Court of Civil Appeals, Second District, Fort Worth.

Salaries of:

Three judges...	\$ 15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Books for library.	500	500
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	600	600
Repairs and furniture	50	50
Totals.....	\$ 22,850	\$ 22,850

Court of Civil Appeals, Third District,
Austin.

	For the years ending	
	Aug. 31, 1926.	Aug. 31, 1927.
Salaries of:		
Three judges...\$	15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Law books for library.....	1,050	250
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	600	600
Renovation of court quarters, including doing over of walls, woodwork and furniture, floor coverings and new furniture..	2,500	
Totals.....\$	25,850	\$ 22,550

Court of Civil Appeals, Fourth District,
San Antonio.

Salaries of:		
Three judges...\$	15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Books for library.	500	500
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	600	600
Furniture	100	100
Typewriter	100	100
Totals.....\$	23,000	\$ 23,000

Court of Civil Appeals, Fifth District,
Dallas.

Salaries of:		
Three judges...\$	15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Books for library.	500	500

For the years ending
Aug. 31, Aug. 31,
1926. 1927.

Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	600	600
Totals.....\$	22,800	\$ 22,800

Court of Civil Appeals, Sixth District,
Texarkana.

Salaries of:		
Three judges...\$	15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Book cases, library	2,500	100
Binding books...	500	
Rugs and floor coverings	500	
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	600	600
Lights and fuel..	300	300
Books for library and subscriptions.....	500	500
Typewriters	200	100
Filing cases	100	
Furniture and desks for office, court room and library	250	100
Totals.....\$	26,450	\$ 22,700

Court of Civil Appeals, Seventh District,
Amarillo.

Salaries of:		
Three judges...\$	15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Books for library.	750	750
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	600	600
Fuel	75	75
Totals.....\$	23,125	\$ 23,125

Court of Civil Appeals, Eighth District,
El Paso.For the years ending
Aug. 31, Aug. 31,
1926. 1927.

Salaries of:

Three judges...	\$ 15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Books for library.	500	500
Furniture	100	100

Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	600	600
Fuel	150	150
Typewriters		150

Totals.....\$ 23,050 \$ 23,200

Court of Civil Appeals, Ninth District,
Beaumont.

Salaries of:

Three judges...	\$ 15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Books for library.	500	500
Furniture and typewriters	100	100

Record books, stationery, ice, telephone, telegraph, express, postage, box rent, contingent expenses and laundry	600	600
Fuel	125	125

Totals.....\$ 23,025 \$ 23,025

Court of Civil Appeals, Tenth District,
Waco.

Salaries of:

Three judges...	\$ 15,000	\$ 15,000
Clerk	3,000	3,000
Deputy clerk..	1,500	1,500
Stenographer ..	1,500	1,500
Bailiff	100	100
Porter	600	600
Books for library.	1,000	1,000
Filing cases and furniture	250	250

For the years ending
Aug. 31, Aug. 31,
1926. 1927.

Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..

Fuel

Totals.....\$ 23,625 \$ 23,625

Court of Criminal Appeals, Austin.

Salaries of:

Three judges...	\$ 19,500	\$ 19,500
Bailiff and stenographer ...	1,800	1,800
Two stenographers	3,600	3,600
Reporter	3,000	3,000
Clerk	3,000	3,000
Porter	720	720

Postage and box rent.....

Law books

Record books and stationery

Publishing Criminal Court Reports

Contingent expenses

Furniture, file cases and pictures of deceased judges ..

Telephone

Envelopes for filing records

Totals.....\$ 37,552 \$ 37,052

State's Attorney Before Court of
Criminal Appeals.

Salaries of:

State's Attorney	\$ 3,600	\$ 3,600
Assistant State's Attorney	3,000	3,000
Law clerk and stenographer.	1,800	1,800
Law books	100	100

Telephone, postage, box rent and contingent expenses

Furniture and book cases.....

Totals.....\$ 8,785 \$ 8,785

Supreme Court.			For the years ending		
			Aug. 31,	Aug. 31,	
			1926.	1927.	
Salaries of:					
Three judges...\$	19,500	\$ 19,500			
Clerk	2,500	2,500			
Reporter	3,000	3,000			
Three stenographers and law clerks	5,400	5,400			
Assistant librarian and marshal	1,500	1,500			
Porter, judge's room.....	720	720			
Porter, court room, clerk's office and library	720	720			
Publishing Supreme Court Reports	1,150	1,150			
Furniture, record books, stationery, typewriters, postage and express	2,000	2,000			
Purchase of law books for the Supreme Court library and consultation room, to be selected and purchased by the court and for rebinding	3,000	3,000			
Deputy Clerk shall receive as compensation for acting secretary to Board of Legal Examiners the sum of \$1,000 per annum; such compensation shall be paid monthly out of the fees of the Clerk's office.					
Contingent expenses.....	300	300			
Totals.....\$	39,790	\$ 39,790			
Commission of Appeals.					
Salaries of:					
Six judges.....\$	39,000	\$ 39,000			
Two stenographers	3,000	3,000			
Porter	720	720			
Record books, rental on law books, stationery, telephone, postage and contingent expenses	900	900			
Totals.....\$	43,620	\$ 43,620			
Judiciary—Comptroller's Department.					
Salaries of:					
Ninety-seven district judges.\$	388,000	\$ 388,000			
Forty-seven district attorneys	23,500	23,500			
Expenses of judges and district attorneys as allowed by the Acts of the Thirty-eighth Legislature, payable in equal quarterly installments	40,000	40,000			
Five criminal district attorneys .	2,500	2,500			
Assistant district attorney, Bexar and El Paso counties, at \$2,500 each	5,000	5,000			
Six criminal judges at \$4,000 each	24,000	24,000			
Expenses of attached witnesses and witness fees and mileage allowed witnesses in felony cases who reside in counties other than the counties in which the cause is being tried	175,000	160,000			
Fees of county attorneys, justices of the peace, sheriffs and constables in examining trials....	70,000	70,000			
Fees and costs of sheriffs, attorneys and clerks in felony cases	475,000	475,000			

	For the years ending		Recapitulation.	
	Aug. 31, 1926.	Aug. 31, 1927.	For the years ending Aug. 31, 1926.	Aug. 31, 1927.
Fees, costs and per diem of 52 district attorneys.	115,000	115,000	Court of Civil Appeals, First District	\$ 23,300 \$ 23,200
Salaries of special judges.....	7,500	7,500	Court of Civil Appeals, Second District	22,850 22,850
To pay expenses of district judges in holding court outside of their own districts..	1,000	1,000	Court of Civil Appeals, Third District	25,850 22,550
To pay special judges of the Supreme Court, Courts of Criminal and Civil Appeals, where disqualification of the regular judge exists and special judges appointed	5,000	5,000	Court of Civil Appeals, Fourth District	23,000 23,000
To pay costs and fees of officials in cases of escheated estates, including cases on which such costs and fees have already accrued and owing by the State...	100	100	Court of Civil Appeals, Fifth District	22,800 22,800
For the payment of transcripts in cases where the court is required to and does appoint an attorney to represent defendant in a criminal action and where official reporter is required and does furnish the attorneys for the defendant if convicted with the transcript of his notes as provided for in Section 14, Chapter 119, page 264 of the general laws of the State of Texas, passed by the Regular Session of the Thirty-second Legislature	250	250	Court of Civil Appeals, Sixth District	26,450 22,700
Totals.....	\$1,331,850	\$1,291,850	Court of Civil Appeals, Seventh District	23,125 23,125
			Court of Civil Appeals, Eighth District	23,050 23,200
			Court of Civil Appeals, Ninth District	23,025 23,025
			Court of Civil Appeals, Tenth District	23,625 23,625
			Court of Criminal Appeals	37,552 37,052
			State's Attorney before Court of Criminal Appeals	8,785 8,785
			Supreme Court ..	39,790 39,790
			Commission of Appeals	43,620 43,620
			Judiciary, Comptroller's Department	1,331,850 1,291,850
			Grand Total—Judiciary budget...	\$1,698,672 \$1,651,172
			Total for both years	\$3,349,844
			Provided that the amounts herein appropriated for each item as herein stated, and no more, shall be paid out of the general revenue for the judiciary during the fiscal years beginning September 1, 1925, and ending August 31, 1927, and no surplus shall be diverted from one account to another account.	
			Provided that all accounts under this section which require the approval of	

any district judge shall be examined by the Comptroller, and if correct, he shall issue his warrant therefor, but if he shall find same incorrect, in whole or in part, he may cause an audit of same to be made before warrant is issued.

Provided that the Governor, in case of an extraordinary emergency may authorize a deficiency for such purpose or purposes which could not have been anticipated or provided for by the Legislature. All moneys appropriated by this act shall remain in the State Treasury and be paid out only as it is expended, or as the necessity or emergency may require.

Provided, that it shall be the duty of the clerks of the various courts above mentioned on the first Monday in July, October, January and April of each year to make a report to the Comptroller, showing the amount of fees collected each year, giving the number of cases, but not necessarily the style of case, together with the fees from other sources, stating in each instance the source.

Fees shall be fixed, charged and collected from book companies, litigants, and their attorneys and all other for all unofficial and certified copies of opinions of the court made or furnished by said court or the clerk, stenographers or other employes thereof, and fees shall be fixed, charged and collected for all other services rendered by said court, the clerk, stenographers or other employes to book companies, litigants and their attorneys and all other not now furnished or required to be furnished free of charge, and all of said fees and charges, when collected, shall be paid into the Treasury of the State of Texas.

Provided, that each and every employe under this act shall be paid by voucher, issued in his or her name; said voucher shall state the amount of salary or sum due, and for what services performed, with the date and time of such service, and no money or moneys shall be paid except upon presentation of said voucher or vouchers indorsed by the payee.

Sec. 2. The fact that the above and foregoing is one of the regular appropriation bills for the support of the State Government for the two fiscal years beginning September 1, 1925, and ending August 31, 1927, creates a necessity for the expediting of the passage of this appropriation bill, therefore creates an emergency and an imperative public necessity which demands that the rule requiring bills to be read on three

several days be suspended and that this bill become effective from and after its passage, and it is so enacted.

On motion of Mr. Blount, the report was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 6, A bill to be entitled "An Act making unlawful the making or use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property, or credit, or the making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a felony and prescribing punishment therefor."

S. B. No. 16, A bill to be entitled "An Act authorizing the Governor to appoint a commissioner to represent the State of Texas in a conference with the commissions from the States of New Mexico and Colorado, and a representative of the government of the United States to negotiate an agreement respecting the use, control and disposition of the waters of the Rio Grande and its tributaries above Fort Quitman, Texas, prescribing the authority and duties of such commissioner, authorizing the cooperation of certain officers of the State, authorizing the accumulation of engineering and other data pertinent thereto, prescribing the method of reaching such agreement and submitting it to the Legislature for ratification, making an appropriation to carry out the purposes of this act, and declaring an emergency."

S. B. No. 51, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 107, "An Act to renew and extend for an additional period of two years certain oil and gas permits issued on other than public school and University lands, under date of February 3, 1920, under which a well has already been drilled to a depth of 3000 feet or more, and providing for payment of rental and making report of operations to Commissioner of the General Land Office, and declaring an emergency."

HOUSE BILL NO. 230 ON SECOND READING.

On motion of Mr. Daniels the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 230, A bill to be entitled "An Act authorizing the sale to the United States of America of the American Legion Memorial Sanatorium of Texas, owned by the State of Texas and situated near the town of Kerrville, in Kerr county, Texas, including lands, buildings, improvements, equipment; regulating the price at which same shall be sold; providing the proper portion of the funds realized from such sale shall be placed in the State Treasury and making proper disposition of the remainder; authorizing the proper instrument of conveyance to be executed, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Jordan offered the following amendment to the bill:

Amend House bill No. 230 by striking out all below the enacting clause and insert the following:

Section 1. That the State Board of Control of the State of Texas, or such other agency or body that may hereinafter be designated as, or which may hereafter become the legal successor of the said Board of Control, is authorized to sell to the government of the United States the Texas Memorial Hospital located at Legion, Kerr county, Texas.

Section 2. The said property shall not be sold for less than the sum of one million, five hundred thousand (\$1,500,000) dollars. The terms of sale shall be for all cash, or upon such payment by installments as may be agreed upon between the Board of Control, or

other agency succeeding it, and the United States Government.

Section 3. The State Board of Control, or its legal successor, if any there should be, is hereby empowered to execute a deed to the aforesaid property to the United States Government.

Section 4. It shall be stipulated in said deed that in the event negroes are ever placed in the aforesaid institution as patients or in any position or capacity, they shall be assigned to and kept in living, sleeping and eating quarters separate and apart from those occupied by white patients or employees.

Section 5. It shall be further stipulated in said deed that in case the provisions of the next preceding sections are violated, title to the said aforementioned property shall revert to the State of Texas.

Section 6. The term "Negro" as used in this act shall be understood to mean any person having 1-16 or more African blood.

Section 7. The entire proceeds of the sale of said property shall be paid into the Treasury of Texas, to be there kept as a separate account, and apart from the general fund, and shall constitute a trust fund to be known as "The Texas Disabled Veterans' Memorial Fund," and said State Board of Control or its successor shall appropriate as provided by the Constitution of the State of Texas and the amendment hereto, and aiding disabled Confederate soldiers, sailors and veterans of the Texas militia, and others who may be deemed worthy by the State Board of Control, likewise the widows and orphans of the above-mentioned. It further being enacted that this money be expended for the purpose of furnishing adequate accommodations as may be needed at the Confederate Veteran Home.

Section 8. Whereas, it appears probable that the United States Government will purchase the said Texas Memorial Hospital at an early date; and whereas, in event it shall do so that it will be necessary that some Board of Control shall be given power to make deed to same, and whereas, it shall be necessary that the proceeds of said sale shall be held in the State Treasury as a trust fund; therefore, a public emergency is created which requires that the constitutional rule requiring bills to be read on three several days be suspended, and this act take force and effect from and after its passage, and it is so enacted.

On motion of Mr. Baker of Orange, the amendment was tabled.

House bill No. 230 was then passed to engrossment.

HOUSE BILL NO. 230 ON THIRD
READING.

Mr. Daniels moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 230 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

Albritton.	Kinnear.
Alexander	Laird.
of Bastrop.	Lane of Harrison.
Avis.	Loftin.
Baker of Orange.	Low.
Baker of Panola.	Mankin.
Barker.	Masterson.
Barron.	McBride.
Bartlett.	McDonald.
Bateman.	McFarlane.
Bean.	McKean.
Bedford.	McNatt.
Bird.	Merritt.
Bonham.	Moore.
Brown.	Nicholson.
Bryant.	Parish.
Cade.	Pavlica.
Chitwood.	Pearce.
Coffey.	Perdue.
Conway.	Pool.
Coody.	Pope.
Covey.	Purl.
Cox of Lamar.	Renfro.
Cummings.	Rice.
Dale.	Robinson.
Daniels.	Rogers.
Davis of Dallas.	Rowell.
Davis of Wood.	Shearer.
DeBerry.	Sheats.
Donnell.	Simmons.
Downs.	Sinks.
Enderby.	Smith of Nueces.
Farrar.	Smyth.
Faulk.	Sparks.
Florence.	Stautzenberger.
Foster.	Stevenson.
Frnka.	Stout.
Graves.	Strong.
Gray.	Teer.
Hall.	Thompson.
High.	Veatch.
Hoskins.	Wade.
Jacks.	Walker.
Jasper.	Wallace.
Johnson.	Wells.
Jones.	Westbrook.
Justice.	Wester.
Kemble.	Woodruff.
King.	Young.

Nays—22.

Alexander	Dunn of Hopkins.
of Limestone.	Finlay.
Atkinson.	Harman.
Carter.	Hollowell.

Jordan.	Raymer.
Kittrell.	Smith of Travis.
Lane of Hamilton.	Stell.
McDougald.	Stevens.
McGill.	Tomme.
Petsch.	Webb.
Poage.	Wilson.
Powell.	

Present—Not Voting.

Cox of Navarro. Lipscomb.

Absent.

Acker.	Irwin.
Blount.	Kenyon.
Dunn of Falls.	Rawlins.
Fields.	Sanford.
Hagaman.	Williamson.
Houston.	

Absent—Excused.

Amsler.	Kayton.
Bobbitt.	Maxwell.
Boggs.	Montgomery.
Dielmann.	Rowland.
Dinkle.	Runge.
Dunlap.	Simpson.
Durham.	Storey.
Harper.	Taylor.
Hull.	

The Speaker then laid House bill No. 230 before the House on its third reading and final passage.

The bill was read third time.

Mr. Kittrell offered the following amendment to the bill:

Amend Section 1, line 31, by striking out the words "the State's portion" and insert in lieu thereof the word "all."

Mr. Lane of Harrison moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—77.

Alexander	Davis of Dallas.
of Bastrop.	DeBerry.
Avis.	Downs.
Barron.	Enderby.
Bartlett.	Florence.
Bedford.	Foster.
Bird.	Graves.
Bryant.	Hall.
Cade.	Hoskins.
Carter.	Irwin.
Chitwood.	Jacks.
Coffey.	Jasper.
Coody.	Johnson.
Covey.	Jones.
Cox of Lamar.	Justice.
Cox of Navarro.	Kemble.
Cummings.	Kinnear.
Dale.	Laird.
Daniels.	Lane of Harrison.

Loftin.	Rowell.
Low.	Runge.
Mankin.	Sanford.
Masterson.	Sheats.
McBride.	Simmons.
McDonald.	Sinks.
McFarlane.	Smith of Nueces.
McGill.	Smyth.
McKean.	Sparks.
McNatt.	Stautzenberger.
Parish.	Stevenson.
Pavlica.	Stout.
Pearce.	Strong.
Petsch.	Veatch.
Pool.	Wade.
Pope.	Walker.
Purl.	Webb.
Renfro.	Westbrook.
Rice.	Wester.
Robinson.	Williamson.
Rogers.	Woodruff.

Nays—41.

Albritton.	Jordan.
Alexander	King.
of Limestone.	Kittrell.
Atkinson.	Lane of Hamilton.
Baker of Orange.	Lipscomb.
Baker of Panola.	McDougald.
Bateman.	Merritt.
Bean.	Moore.
Bonham.	Perdue.
Conway.	Poage.
Davis of Wood.	Powell.
Donnell.	Raymer.
Dunn of Hopkins.	Shearer.
Farrar.	Stell.
Faulk.	Stevens.
Fields.	Teer.
Finlay.	Thompson.
Gray.	Tomme.
Harman.	Wells.
High.	Wilson.
Hollowell.	Young.

Present—Not Voting.

Frnka.

Absent.

Acker.	Houston.
Barker.	Kenyon.
Blount.	Nicholson.
Brown.	Rawlins.
Dunn of Falls.	Smith of Travis.
Hagaman.	Wallace.

Absent—Excused.

Bobbitt.	Hull.
Amsler.	Kayton.
Boggs.	Maxwell.
Dielmann.	Montgomery.
Dinkle.	Rowland.
Dunlap.	Simpson.
Durham.	Storey.
Harper.	Taylor.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 230 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. That the State Board of Control of the State of Texas, or such other agency or body that may hereinafter be designated as, or which may hereafter become the legal successor of the said Board of Control, is authorized to sell to the government of the United States the Texas Memorial Hospital, located at Legion, Kerr county, Texas.

Sec. 2. The said property shall not be sold for less than the sum of one million dollars (\$1,000,000). The terms of sale shall be for all cash, or upon such payment by installments as may be agreed upon between the Board of Control, or other agency succeeding it, and the United States government.

Sec. 3. The State Board of Control, or its legal successor, if any there should be, is hereby empowered to execute a deed to the aforesaid property to the United States government.

Sec. 4. It shall be stipulated in said deed that in the event negroes are ever placed in the aforesaid institution as patients or in any position or capacity, they shall be assigned to and kept in living, sleeping and eating quarters separate and apart from those occupied by white patients or employees.

Sec. 5. It shall be further stipulated in said deed that in case the provisions of the next preceding section are violated, title to the said aforementioned property shall revert to the State of Texas.

Sec. 6. The term "negro" as used in this act shall be understood to mean any person having 1-16 or more African blood.

Sec. 7. The entire proceeds of the sale of said property shall be paid into the treasury of Texas, to be there kept as a separate account, and apart from the general fund, and shall constitute a trust fund to be known as "The Texas Disabled Veterans' Memorial Fund," and said fund shall be used exclusively for the purpose of constituting and furnishing permanent buildings to be used as quarters for such ex-soldiers of the American armies who may, from time to time, be admitted thereto in accordance with the Constitution and laws of the State of Texas.

Sec. 8. Whereas, it appears probable that the United States Government will purchase the said Texas Memorial Hospital at an early date; and whereas, in event it shall do so that it will be necessary that some Board of Control shall be given power to make deed to same; and whereas, it shall be necessary that

the proceeds of said sale shall be held in the State Treasury as a trust fund; therefore, a public emergency is created which requires that the constitutional rule requiring bills to be read on three several days be suspended, and this act take force and effect from and after its passage, and it is so enacted.

Mr. Baker of Orange raised a point of order on consideration of the amendment at this time, on the ground that it is identical with an amendment already defeated by the House.

The Speaker overruled the point of order.

On motion of Mr. Purl, the amendment was tabled.

Mr. Sinks moved the previous question on the passage of the bill and the main question was ordered.

House bill No. 230 was then finally passed by the following vote:

Yeas—87.

Albritton.	King.
Alexander	Lane of Hamilton.
of Bastrop.	Lane of Harrison.
Avis.	Loftin.
Baker of Orange.	Low.
Baker of Panola.	Mankin.
Barron.	McBride.
Bartlett.	McDonald.
Bedford.	McFarlane.
Bird.	McKean.
Bonham.	Merritt.
Brown.	Moore.
Bryant.	Nicholson.
Cade.	Parish.
Carter.	Pavlica.
Chitwood.	Pearce.
Coffey.	Perdue.
Coody.	Pool.
Covey.	Pope.
Cox of Lamar.	Purl.
Cummings.	Renfro.
Dale.	Rice.
Daniels.	Robinson.
DeBerry.	Rogers.
Donnell.	Rowell.
Enderby.	Shearer.
Farrar.	Sheats.
Florence.	Simmons.
Foster.	Sinks.
Graves.	Smith of Nueces.
Gray.	Sparks.
Hall.	Stautzenberger.
Harman.	Stevens.
High.	Stevenson.
Hoskins.	Stout.
Irwin.	Strong.
Jacks.	Teer.
Jasper.	Thompson.
Johnson.	Veatch.
Jones.	Wade.
Justice.	Walker.
Kemble.	Wells.

Westbrook.
Wester.

Williamson.
Woodruff.

Nays—28.

Acker.	Masterson.
Atkinson.	McDougald.
Bateman.	McGill.
Bean.	McNatt.
Conway.	Petsch.
Cox of Navarro.	Poage.
Dunn of Hopkins.	Powell.
Fields.	Raymer.
Finlay.	Smith of Travis.
Hollowell.	Stell.
Jordan.	Tomme.
Kinnear.	Webb.
Laird.	Wilson.
Lipscomb.	Young.

Present—Not Voting.

Frnka.

Absent.

Alexander	Hagaman.
of Limestone.	Houston.
Barker.	Kenyon.
Blount.	Kittrell.
Davis of Dallas.	Rawlins.
Davis of Wood.	Sanford.
Downs.	Smyth.
Dunn of Falls.	Wallace.
Faulk.	

Absent—Excused.

Amsler.	Kayton.
Bobbitt.	Maxwell.
Boggs.	Montgomery.
Dielmann.	Rowland.
Dinkle.	Runge.
Dunlap.	Simpson.
Durham.	Storey.
Harper.	Taylor.
Hull.	

Mr. Purl moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

RELATING TO HOUSE BILL NO. 58.

Mr. McFarlane moved to reconsider the vote by which House bill No. 58 was recommitted to the Committee on Revenue and Taxation.

The motion to reconsider was lost.

HOUSE BILL NO. 180 ON SECOND READING.

On motion of Mr. Fields, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 180, A bill to be entitled "An Act amending Article 6267 of the Revised Civil Statutes of 1911 as

amended, and amending Chapter 2, Title 105, Revised Civil Statutes of 1911, by inserting therein Article 6267a, said article relating to pensions; authorizing and directing the collection of the increased amount of taxes under Section 51 of Article 3 of the State Constitution as amended; amending the Statutes so as to conform to the purpose and intent and the authority granted in said section of the Constitution as amended; repealing Chapter 86 of the General Laws of the Regular Session of the Thirty-sixth Legislature and all laws and parts of laws in conflict with this act; providing the rule of construction in event any part of this act should be held to be invalid, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 180 ON THIRD READING.

Mr. Fields moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 180 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Acker.	Fields.
Alexander	Finlay.
of Limestone.	Florence.
Atkinson.	Foster.
Baker of Orange.	Frnka.
Baker of Panola.	Graves.
Barron.	Gray.
Bartlett.	Hall.
Bean.	Harman.
Bedford.	High.
Bird.	Hoskins.
Bryant.	Irwin.
Cade.	Jacks.
Chitwood.	Jasper.
Coffey.	Johnson.
Conway.	Jones.
Coody.	Jordan.
Covey.	Justice.
Cox of Lamar.	Kemble.
Cox of Navarro.	King.
Cummings.	Kinnear.
Dale.	Laird.
Daniels.	Lane of Hamilton.
Davis of Dallas.	Lane of Harrison.
Davis of Wood.	Lipscomb.
DeBerry.	Low.
Donnell.	Mankin.
Downs.	Masterson.
Dunn of Hopkins.	McBride.
Enderby.	McDonald.
Farrar.	McDougald.
Faulk.	McFarlane.

McGill.	Sheats.
McKean.	Simmons.
McNatt.	Sinks.
Merritt.	Smith of Nueces.
Moore.	Smith of Travis.
Nicholson.	Stell.
Parish.	Stevens.
Pavlica.	Strong.
Pool.	Thompson.
Pope.	Tomme.
Powell.	Veatch.
Purl.	Wade.
Raymer.	Wallace.
Renfro.	Webb.
Rice.	Wells.
Robinson.	Westbrook.
Rogers.	Woodruff.
Rowell.	Young.
Sanford.	

Nays—5.

Albritton.	Stautzenberger.
Avis.	Walker.
Hollowell.	

Present—Not Voting.

Poage.

Absent.

Alexander	Pearce.
of Bastrop.	Perdue.
Barker.	Petsch.
Bateman.	Rawlins.
Blount.	Shearer.
Bonham.	Smyth.
Brown.	Sparks.
Carter.	Stevenson.
Dunn of Falls.	Stout.
Hagaman.	Teer.
Houston.	Wester.
Kenyon.	Williamson.
Kittrell.	Wilson.
Loftin.	

Absent—Excused.

Amsler.	Kayton.
Bobbitt.	Maxwell.
Boggs.	Montgomery.
Dielmann.	Rowland.
Dinkle.	Runge.
Dunlap.	Simpson.
Durham.	Storey.
Harper.	Taylor.
Hull.	

The Speaker then laid House bill No. 180 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 14 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 14, A bill to be entitled "An Act to define and prohibit bucket

shops and dealings therein; to regulate contracts for future delivery of cotton, etc.; to declare under what conditions such contracts shall be valid; to prescribe penalties for the violation of this act; and to repeal Articles 536 and 537 of Chapter 2, Title 11, and all of Chapter 3, of Title 11, of the Revised Penal Code of the State of Texas."

The bill was read third time and was passed by the following vote:

Yeas—64.

Acker.	Irwin.
Albritton.	Jacks.
Alexander	Jasper.
of Bastrop.	Jordan.
Alexander	Kemble.
of Limestone.	Kinnear.
Baker of Panola.	Loftin.
Barron.	Low.
Bartlett.	Mankin.
Bean.	Masterson.
Bedford.	McBride.
Bird.	McGill.
Bryant.	McKean.
Cade.	Merritt.
Chitwood.	Nicholson.
Coffey.	Perdue.
Conway.	Petsch.
Cox of Navarro.	Poage.
Dale.	Pope.
Davis of Dallas.	Robinson.
DeBerry.	Rogers.
Downs.	Simmons.
Dunn of Hopkins.	Sinks.
Enderby.	Smith of Nueces.
Faulk.	Smith of Travis.
Florence.	Stautzenberger.
Foster.	Stell.
Frnka.	Stevenson.
Graves.	Veatch.
Gray.	Walker.
Hall.	Webb.
Harman.	Wester.
Hollowell.	Young.
Hoskins.	

Nays—40.

Avis.	McFarlane.
Baker of Orange.	McNatt.
Barker.	Moore.
Coody.	Parish.
Covey.	Pavlica.
Cox of Lamar.	Pearce.
Cummings.	Pool.
Daniels.	Powell.
Davis of Wood.	Purl.
Donnell.	Rawlins.
Fields.	Renfro.
Finlay.	Rice.
High.	Rowell.
Justice.	Shearer.
King.	Sheats.
Laird.	Sparks.
Lane of Hamilton.	Stevens.
McDonald.	Strong.

Tomme.
Wallace.
Wells.

Westbrook.
Woodruff.

Present—Not Voting.

Lipscomb.
Wade.

Wilson.

Absent.

Atkinson.
Bateman.
Blount.
Bonham.
Brown.
Carter.
Dunn of Falls.
Farrar.
Hagaman.
Houston.
Johnson.
Jones.

Kenyon.
Kittrell.
Lane of Harrison.
McDougald.
Raymer.
Sanford.
Smyth.
Stout.
Teer.
Thompson.
Williamson.

Absent—Excused.

Amsler.
Bobbitt.
Boggs.
Dielmann.
Dinkle.
Dunlap.
Durham.
Harper.
Hull.

Kayton.
Maxwell.
Montgomery.
Rowland.
Runge.
Simpson.
Storey.
Taylor.

HOUSE BILL NO. 90 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 90, A bill to be entitled "An Act amending Article 5655 and Article 5658, Chapter 7, Title 86, Revised Civil Statutes of Texas, 1911, regarding instruments intended to operate as liens on personal property, and providing for the filing and registration thereof, and the effect of such instruments when not filed for registration, by adding thereto a provision in reference to the filing and registration of transfers of chattel mortgages, deeds of trust and other evidences of lien upon personal property."

The bill was read third time and was passed.

HOUSE BILL NO. 94 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 94, A bill to be entitled "An Act to amend Article 1610, Title 18 of the Penal Code of the State of Texas, relating to the modes of punishment of convicts, fixing punishment for violations thereof, and declaring an emergency."

The bill was read third time.

Question recurring on the passage of the bill, yeas and nays were demanded. House bill No. 94 was then passed by the following vote:

Yeas—63.

Acker.	Johnson.
Albritton.	Jordan.
Alexander	Kinnear.
of Bastrop.	Laird.
Alexander	Lane of Hamilton.
of Limestone.	Lipscomb.
Baker of Panola.	McBride.
Bartlett.	McGill.
Bedford.	McNatt.
Bird.	Merritt.
Brown.	Moore.
Bryant.	Pavlica.
Conway.	Poage.
Coody.	Powell.
Cox of Lamar.	Rawlins.
Cox of Navarro.	Renfro.
Cummings.	Robinson.
Dale.	Rowell.
Davis of Dallas.	Sheats.
Donnell.	Simmons.
Downs.	Smith of Nueces.
Dunn of Hopkins.	Smith of Travis.
Enderby.	Stautzenberger.
Faulk.	Stell.
Finlay.	Stevens.
Florence.	Thompson.
Frnka.	Walker.
Graves.	Wallace.
Harman.	Wells.
Hollowell.	Westbrook.
Hoskins.	Wester.
Irwin.	Woodruff.
Jacks.	Young.
Jasper.	

Nays—50.

Avis.	Masterson.
Baker of Orange.	McDonald.
Barker.	McFarlane.
Barron.	McKean.
Bateman.	Nicholson.
Bean.	Parish.
Bonham.	Pearce.
Cade.	Perdue.
Chitwood.	Petsch.
Coffey.	Pool.
Daniels.	Pope.
Davis of Wood.	Raymer.
DeBerry.	Rice.
Fields.	Rogers.
Foster.	Sanford.
Gray.	Shearer.
Hall.	Sinks.
Jones.	Sparks.
Justice.	Stevenson.
Kayton.	Stout.
Kemble.	Strong.
King.	Teer.
Lane of Harrison.	Tomme.
Low.	Wade.
Mankin.	Wilson.

Absent.

Atkinson.	Kenyon.
Blount.	Kittrell.
Carter.	Loftin.
Covey.	McDougald.
Dunn of Falls.	Purl.
Farrar.	Smyth.
Hagaman.	Veatch.
High.	Webb.
Houston.	Williamson.

Absent—Excused.

Amsler.	Hull.
Bobbitt.	Maxwell.
Boggs.	Montgomery.
Dielmann.	Rowland.
Dinkle.	Runge.
Dunlap.	Simpson.
Durham.	Storey.
Harper.	Taylor.

HOUSE BILL NO. 1 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1, A bill to be entitled "An Act declaring all wild animals, wild birds, and wild fowl to be the property of the people of this State; to preserve, propagate, distribute and protect the wild game animals, wild game birds and fowls, and wild birds of this State; defining offenses, and prescribing penalties for the violations thereof; providing for the issuance of hunting licenses; providing for the appointment of deputy game, fish and oyster commissioners; prescribing their duties and compensations; making provisions for the creation of a special game fund, and appropriating the same for the purpose of carrying out the provisions of this act; repealing certain laws, and all laws, general and special, in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Wells offered the following (committee) amendment to the bill:

Amend House bill No. 1 by striking out all below the enacting clause, and substituting the following:

Section 1. All wild animals, wild birds, and wild fowls within the borders of this State are hereby declared to be the property of the people of this State.

Sec. 2. Wild turkeys, wild ducks of all varieties, wild geese of all varieties, wild brant, wild grouse, wild prairie chicken or pinnated grouse, wild pheasants of all varieties, wild partridges and wild quail of all varieties, wild pigeons of all varieties, wild mourning doves and white winged doves, wild snipe of

all varieties, wild snowbirds of all varieties, wild Mexican pheasants or chachalacas, and wild plover of all varieties, are hereby declared to be game birds within the meaning of this act.

Sec. 3. Wild deer, wild elk, wild antelope, wild Rocky Mountain sheep, wild black bear, and wild gray and red squirrels, cat squirrels or fox squirrels, are hereby declared to be game animals within the meaning of this act.

Sec. 4. The term "closed season" shall, for the purpose of enforcement of the game laws of this State, mean the period of time during which it is unlawful to hunt, kill, attempt to kill, or take any of the wild game animals, wild fowl, or birds enumerated in this act; and the term "open season" shall mean the period of time in which it is lawful to hunt, kill, or take certain game animals, wild fowl, and game birds set forth in this act.

Sec. 5. In order to divide the State for the purpose of better regulating the open and closed seasons for the hunting of the wild game birds and wild game animals of this State, a line following the center of the main track of the International and Great Northern Railroad beginning at Laredo and running thence to San Antonio, thence to Austin, thence to Longview and thence following the center of the main track of the Texas & Pacific Railroad to Texarkana, shall constitute a division of the north and south hunting zones of this State. All that portion of the State lying northwesterly of said line shall be known as the north zone, and all that portion of the State lying southeasterly of said line shall be known as the south zone.

Sec. 6. There shall be an open season, or period of time, when it shall be lawful to hunt, take, or kill such of the game animals and game birds as are named in this section, as follows:

Wild mourning doves, in the south zone, during the months of November and December of each year; in the north zone, during the months of September and October of each year.

Wild white-winged doves, in both the north and south zones, during the months of August, September and October of each year.

Wild quail of all kinds, and wild Mexican pheasants or chachalaca in the north zone, November 16 to the following January 1, both days inclusive; in the south zone, December 1 to the following January 16, both days inclusive.

Wild turkey gobblers, in both the north and south zones, November 16 to the following December 31, both days inclusive.

Wild rail (other than coot and gallinules), wild black-bellied plover and wild golden plover, and yellowlegs, the months of September and October of each year, in both the north and south zones.

Wild ducks of all kinds (except wild wood ducks), wild geese, wild brant, wild snipe of all kinds, wild gallinules and wild coot or mud hen, in the north zone, October 16 to the following January 31, both days inclusive; in the south zone, November 1 to the following January 31, both days inclusive.

Wild prairie chicken or pinnated grouse, in the counties of Gray, Wheeler, Hemphill, Lipscomb, Andrews, Gaines, Terry, Yoakum and Cochran only, September 1 to September 10 of each year, both days inclusive.

Wild buck deer, wild bear, in both the north and south zones, November 16 to December 31, each year, both days inclusive.

Wild red or fox squirrel and wild gray squirrel, in the south zone the months of May, June and July and in the months of October, November and December of each year. Provided, however, that nothing in this act shall prevent the keeping of squirrels in cages as domestic pets; and provided that the closed season for squirrels in the north zone shall be the months of January, February, March and April.

Sec. 7. It shall be unlawful to take, kill, or possess any birds or animals in greater number than the daily, weekly or seasonal bag-limit or number of such game birds and game animals permitted to be killed or taken, such bag limits to be as follows:

Wild mourning doves and wild white-winged doves, fifteen in any one day, and not more than forty-five in any one week of seven days.

Wild quail of all kinds, and wild Mexican pheasant or chachalaca, ten in any one day, and not more than thirty in any one week of seven days, and all kinds and varieties of these shall be considered in making up the limit of ten and the weekly bag-limit of thirty.

Wild turkey gobblers, three during the open season of any one year, as herein provided.

Wild geese and brant of all kinds, four in any one day, and not more than twelve in any one week of seven days.

Wild ducks of all kinds, wild snipe of all kinds, wild black-bellied plover, wild yellowlegs, wild gallinule or Indian hen, and wild coot or mud-hen, fifteen in any one day, and not more than forty-five in any one week of seven days; provided, that all kinds and varieties of game birds mentioned in this section shall be

considered in making up the daily bag-limit of fifteen or weekly bag-limit of forty-five.

Wild prairie chicken or pinnated grouse, in the counties of Gray, Wheeler, Hemphill, Lipscomb, Andrews, Gaines, Terry, Yoakum and Cochran, five in any one day, and not to exceed ten in the open season of any one year, in the season and in the counties named.

Wild buck deer, two during the open season of any one year, as provided in this act.

Wild bear, one during the open season of any one year, as provided in this act.

Wild squirrel, ten in any one day.

Provided that the period of time, "one week of seven days," shall begin on Sunday and end on the following Saturday, both days inclusive.

Any person killing or taking or having in possession, more than the daily, weekly or seasonal bag-limits as set forth in this section, or any person killing, taking, hunting, wounding, shooting at, or having in possession any game bird or game animal at any other time of the year, except during the open season as provided for in this act, or any person killing, taking, capturing, wounding, shooting at or having in possession any game bird or game animal for which no open season is provided by this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined, except as hereinafter provided, in a sum of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200); and each game bird or game animal unlawfully taken shall constitute a separate offense; provided, that any person who shall unlawfully kill, wound, or have in his possession any deer, antelope or turkey shall be fined in a sum not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200); and each deer, antelope or turkey so unlawfully taken, killed or possessed shall constitute a separate offense.

Sec. 8. It shall be unlawful for any person in this State to kill, catch, wound, take, shoot at or have in possession, living or dead, any wild bird other than a game bird. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars. Provided, however, that English sparrows, blue jays, crows, raven, vultures or buzzards, "rice birds" identified as harmful, black birds, road runners, and the goshawk, the Cooper hawk or blue darter, the sharp

shinned hawk, the duck hawk, and the great horned owl are not included among the birds protected by this section; and, provided further, that nothing in this section shall prevent the purchase and sale of canaries and parrots, or the keeping of same in cages as domestic pets.

Sec. 9. It shall be unlawful for any person to sell or offer for sale, or to buy or offer to buy, or to have in possession for sale, or to have in possession after purchase has been made (either by himself or by another), any wild bird, wild fowl, wild game bird, or wild game animal, dead or alive, or any part thereof, protected by this act, except as hereinafter provided. This section, and all other sections in this act, shall apply to any bird or animal coming from without this State; and in prosecution for violations of this act it shall be no defense that such bird or animal was not taken or killed within this State.

It shall further be unlawful to bring into this State, for any purpose whatever, during the closed season or time when it is unlawful to possess such bird or animal, either alive or dead, any kind of bird or animal protected by this act, except as hereinafter provided.

Any person violating any of the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars; and the bringing in of each separate bird or animal protected by this act in violation of this section shall constitute a separate offense. Provided, that any person who shall buy any game bird or game animal, the sale of which is prohibited by this act, for the purpose of establishing testimony, shall not be prosecuted for such purchase, and a conviction may be had upon the uncorroborated testimony of such purchase.

Sec. 10. It shall be unlawful for any person to take, kill, wound, shoot at, hunt, or possess, dead or alive, any wild turkey hen or any wild female deer or wild fawn deer, at any season of the year, except as hereinafter provided.

It shall also be unlawful to kill, wound, or possess any wild buck deer without a pronged horn, or to possess any deer carcass or green deer hide with all evidence of sex removed.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not

less than one hundred (\$100) dollars nor more than two hundred (\$200) dollars.

Sec. 11. It shall be unlawful for any person to have in possession at any one time more than forty-five wild doves, or thirty-six wild quail, or thirty-six wild Mexican pheasant or chachalaca; or to have in possession at any one time more than forty-five water fowls, shorebirds, and other game birds, all kinds and varieties being considered in making up the one total of forty-five; provided, that the provisions of this section shall not apply to transportation companies which have in their possession, for the purpose of transportation, such wild birds, where the provisions of this act with reference to shipment of game have been complied with; nor shall the provisions of this act apply to owners, agents, managers, or receivers of cold storage plants which receive wild game for storage; provided, however, that it shall be unlawful for the owner, agent, manager or receiver of such cold storage plant to receive or have in possession at any one time for himself or any one person more than the limits of forty-five of the wild game birds as provided in this section.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars. The possession of each bird or fowl over the number designated herein shall be deemed a separate offense.

Sec. 12. The possession of any wild game bird, wild game fowl, or wild game animal mentioned in this act, either dead or alive, during the time when killing or taking is prohibited, shall be prima facie evidence of the guilt of the person in possession, during the time when killing or taking is prohibited by law. Provided, however, it shall not be unlawful to ship or bring any wild game birds, wild fowl, or wild game animals from the Republic of Mexico into this State at any season. Provided, that the party bringing the same into the State shall procure from the Game, Fish and Oyster Commissioner, or from one of his deputies, a permit to bring same into the State, and shall procure from the United States custom officer at the port of entry a statement showing that such game was brought from the Republic of Mexico; and, provided further, that such party comply with the provisions of this act regulating the shipment and

sale of such wild game birds, wild fowls or game animals.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars.

Sec. 13. It shall be unlawful for any person to hunt, kill, or take, or have in possession, within a period of five years from the passage of this act, any wild woodcock, wild wood duck, wild sandhill crane or whooping crane, wild Inca dove, white-fronted dove and ground dove, wild prairie chicken or wild pheasant, except as hereinafter provided. Any person violating any provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not less than twenty-five (\$25) dollars, nor more than two hundred (\$200) dollars, and each bird killed or possessed in violation of this section shall constitute a separate offense.

Sec. 14. It shall be unlawful to kill, hunt or shoot at any wild bird, wild game bird, wild fowl, or wild game animal protected by this act, at any season of the year, between sunset and one-half hour before sunrise in any county in this State. Any person violating any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than twenty-five (\$25) dollars nor more than one hundred dollars, and each bird or animal so killed shall constitute a separate offense.

Sec. 15. It shall be unlawful for any person to destroy or take the nest, eggs, or young of any wild game bird, wild bird, or wild fowl protected by this act, except as provided herein. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Sec. 16. It shall be unlawful to hunt, kill, or take any wild duck, goose, or brant, by any means other than the ordinary gun, not to exceed ten gauge, capable of being held to and shot from the shoulder. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, and each bird or fowl, taken or killed in violation of this section, shall constitute a separate offense.

Sec. 17. Whenever any wild birds, wild fowl, or wild animals are destroying crops or domestic animals, the Game, Fish and Oyster Commissioner is hereby authorized to permit the killing of such wild birds or wild animals, without regard to the open or closed season, bag-limit, or night shooting; but before such permission shall be granted, the Commissioner aforesaid shall be furnished with a statement of facts, sworn to by persons whose property is being injured, with the endorsement of the county judge of the county in which the crops are being destroyed or domestic animals are being injured or killed to the effect that the sworn statement is true, and that such crops or domestic animals can only be preserved by the granting of such permit. Such permit when issued shall distinctly state the time for which it is granted, the area which it covers, and a designation of the person or persons permitted to kill the noxious birds and animals named in such permit.

Such permit shall not authorize the killing of migratory birds protected by the Federal migratory bird treaty act, unless the applicant shall first procure a permit from the United States Department of Agriculture, in compliance with the regulations of such migratory bird treaty act.

Sec. 18. All game birds, wild fowl, and game animals, named in this act, killed during the open season prescribed therefor, may be possessed during and for an additional ten days after such season is closed. But it shall be unlawful, after such ten days, to place in storage or keep in storage any wild birds, or wild game animals, or parts thereof, named in this act. Any person owning or claiming such birds, fowl, or animals, or parts thereof, after such ten days, or any person storing such birds, fowl or animals, or parts thereof, for such claimant or owner, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, and each bird, fowl, or animal, or part thereof, stored in violation of this section, shall constitute a separate offense.

Sec. 19. All wild birds, wild fowl, or wild game animals, or parts thereof, which have been killed, taken in any way, shipped, held in storage, or found in a public eating place, contrary to the provisions of this act, shall be disposed of by order of the Game, Fish and Oyster Commissioner, or one of his deputies, by donating same to charitable in-

stitutions, hospitals or needy widows and orphans.

If such birds, fowl, or animals mentioned in this section are required to be placed in cold storage, the expense of such storage shall, upon his conviction, be placed in a bill of costs against the defendant or person from whom they were taken.

The Game, Fish and Oyster Commissioner, or one of his deputies, when he has reason to suspect that the game-bag or automobile, or other receptacle or vehicle, in the possession of or belonging to any person or persons, may contain game unlawfully killed, shall have the power, when search without warrant is refused, to detain such person or persons until a search warrant may be obtained.

Sec. 20. Provided, nothing in this act shall prevent the capture, by any means and at any time, day or night, of wild birds or wild fowls, and their nests and eggs, or of wild animals or wild quadrupeds, for zoological gardens or parks, or for propagation purposes, or for scientific purposes; but, before any birds, fowls, animals, quadrupeds, nests, or eggs are taken or molested, for the aforesaid purposes, permission must be secured from the Game, Fish and Oyster Commissioner only, by the person desiring so to operate. Such person shall make application in the form of an affidavit, in duplicate, setting forth what birds, fowls, animals, quadrupeds, nests or eggs he desires and the purposes for which he desires the same; and, if such request is for the collection of skins, nests, or eggs for scientific purposes, such application should be accompanied by certificate from two well known ornithologists (where the specimens are birds or their nests or eggs) or mammalogists (where the specimens are animals or quadrupeds), residents of the United States, stating that the applicant is a fit person to be entrusted with such a permit and that they have known him for at least five years past, and the applicant should further be supplied with a Federal scientific collecting permit issued by the Bureau of Biological Survey of the United States Department of Agriculture, permitting him or her to collect migratory birds, and the serial number and date of said permit should be furnished by the applicant on said affidavit, where request is made for the collecting of birds and their nests or eggs. Such scientific collecting permit as issued by the State of Texas will authorize the holder thereof to take, possess and transport, in any manner and at any time, birds and their nests

and eggs, for scientific purposes; provided, that before migratory birds, or their nests or eggs, are taken, the Federal permit indicated above must be obtained. Such scientific permit shall be issued for the calendar year and shall be null and void after midnight of December 31 of the year issued.

If any person desires to bring into the State any wild birds or wild animals, dead or alive, or the nests or eggs of any bird, he shall apply to the Game, Fish and Oyster Commissioner for permission to do so, attaching to such application an affidavit setting forth the number and species of birds or animals, or the nests or eggs of birds, desired to be introduced.

The Game, Fish and Oyster Commissioner may refuse to issue permits for any of the purposes set forth in this section if, in his judgment, such application, or party making same, is not satisfactory.

The Game, Fish and Oyster Commissioner is empowered to prescribe rules and regulations governing the propagation of game birds and animals and the taking of birds and animals for scientific purposes, and is authorized to cancel any permit issued when, in his judgment, the holder thereof fails or refuses to comply with such rules and regulations.

In the shipment of skins of protected animals, or the skins, or nests, of birds, each package shall have clearly and conspicuously marked on the outside thereof the number of the sender's permit, and the statement that it contains specimens of animals, or of birds, or of their nests or eggs, for scientific purposes. A person operating under, or holding, a permit for scientific collecting shall report on or before January 10 following the expiration of his permit, to the Game, Fish and Oyster Commissioner, the number of skins, nests, or eggs of each species collected, or transported, together with the disposition of all such specimens not in his possession at the time of making said report; and also a statement covering any scientific data observed during his field collecting that, in his judgment, would be of interest to the ornithological or zoological public.

The Game, Fish and Oyster Commissioner shall, at all times, have the power to take in any manner, keep and transport, anywhere within the State, any of the wild birds or their nests or eggs, or any wild animals, for investigation, propagation, distribution or scientific purposes.

Provided, it shall be unlawful for any person to possess for shipment or trans-

portation, or to ship or transport, any live wild game birds or live wild game animals out of the confines of this State.

Any person violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars; and each bird, fowl, animal, quadruped, nest or egg, taken, possessed, or shipped, or offered for shipment, in violation of this section, shall constitute a separate offense.

Sec. 21. The Game, Fish and Oyster Commissioner is hereby authorized and it shall be his duty to make careful investigation, and to close or shorten the open season or reduce the bag-limit on any wild game bird or wild game animal mentioned in this act, in any county in the State, when, after a public hearing from the citizens of such county, it is his opinion that it is necessary to do so, to prevent the destruction or to conserve the supply of such game bird or game animal. The Game, Fish and Oyster Commissioner shall give notice of the closing or shortening of any open season or reduction of bag-limit on any game bird or game animal, not less than two weeks prior to such change, by posting notices at the courthouse and in each postoffice in the county in which any such change is made in the open season or the bag-limit.

Any person killing any game bird or game animal at any other time than as provided for in such notice, or any person killing more than the bag-limit as provided for in such notice, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Sec. 22. Any person shall have the right to ship or carry to and from a taxidermist or tannery, for mounting or preserving purposes or to his home, any specimen or part of specimen of the wild birds or wild animals of this State, where same have been lawfully taken or killed by such person, and when such specimens or parts of specimens are not for sale. But, before making shipment as herein provided, such person shall first make the following affidavit in writing before some officer authorized to administer oaths, and deliver same to the common carrier transporting same, or its agent:

State of Texas

County of.....

Before me, the undersigned authority, on this day personally appeared....., who, after being duly sworn, upon oath says: I live at....., in the county of....., State of.....; that I have personally killed.....which I desire to ship from.....in.....County, to....., State of....., which I have lawfully killed for my own use and not for sale, and which shall not be bartered or sold; that I have not killed during the present hunting season more than the bag-limit, as provided by law, of any of the wild game birds, wild fowl, or wild animals.

Signature.....

Sworn to and subscribed before me this.....day of....., A. D. 192.....

Office held.....

The affidavit thus prepared by the affiant shall be attached to the shipment, and shall not be removed during the period of transportation. If such game is carried by the person killing same, it shall not be necessary to attach the affidavit herein set forth.

Any person who so ships any game, bird or animal, or part thereof, from any place within this State without making the foregoing affidavit; or any agent or any express company or other common carrier who receives any shipment without it being accompanied by such affidavit and list attached; or any auditor or conductor or other person in charge of any railroad train, who knowingly permits any person to carry any wild birds, wild fowl or wild animals without such affidavit being made, as herein provided, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

All express agents, conductors, and auditors of trains, captains of boats, and the Game, Fish and Oyster Commissioner, and his deputies, are hereby empowered to administer oaths necessary to the shipment of game, and for administering such oaths they are hereby authorized to collect the sum of twenty-five (25c) cents from the person making such oath.

Sec. 23. It shall be unlawful for any person to hire or employ any other person, or to be hired or employed by

any other person, by the payment, or by the promise of payment, of money or any other thing of value, to hunt any bird, wild fowl, or game animal protected by this act. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars. Provided, that if any such person who has received money, or a promise of money or other thing of value, to hunt any wild bird, wild fowl, or game animal protected and mentioned in this act, testifies against the person employing him, all prosecutions against him in the case in which he testifies shall be dismissed.

Sec. 24. It shall be unlawful for any person at any time of the year to hunt deer or any other animal or bird protected by this act, by the aid of what is commonly known as a headlight or hunting lamp, or by artificial light attached to an automobile, or by the means of any form of artificial light. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars, or by confinement in the county jail for not less than thirty (30) nor more than ninety (90) days, or by both such fine and imprisonment. The possession of a headlight, or any other hunting light used on or about the head when hunting at night, between sunset and one-half hour before sunrise, by any person hunting in a community where deer are known to range, shall be prima facie evidence that the person found in possession of said headlight, or other hunting light, is violating the provisions of this section.

Sec. 25. It is hereby declared unlawful for any person or persons to make use of a dog or dogs in the hunting or pursuing or taking of any deer. Any person or persons owning or controlling any dog or dogs, and who permits or allows such dog or dogs to run, trail or pursue any deer at any time, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars.

Provided, that nothing in this section shall prohibit the use of only one dog in the pursuit of a wounded buck deer, during the open season on buck deer, as provided by this act.

Sec. 26. It is hereby declared unlawful for any person at any time and in any manner, to hunt, take, capture, or kill, or attempt to hunt, take, capture, or kill any of the wild game birds, wild game fowls, or wild game animals, protected by the laws of this State, from an automobile, an airplane, a power-boat, a sail boat, any boat under sail, or any floating device towed by power boat or sail boat. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars.

Sec. 27. It is hereby declared unlawful for any person owning or navigating a sailboat or power boat, to receive on board such boat for pay any person or persons engaged in hunting, before such person owning or navigating such boat shall have applied for and received a license from the Game, Fish and Oyster Commissioner, or one of his deputies, granting him the right for one year to receive and carry on his boat persons engaged in hunting. Before such license is issued, the person applying for it shall pay to the Game, Fish and Oyster Commissioner, or one of his deputies, the sum of two (\$2) dollars, and shall file with such Game, Fish and Oyster Commissioner the name of his vessel, her accommodations for passengers, and the number of her crew, and shall file with the Game, Fish and Oyster Commissioner, or one of his deputies, an affidavit to the effect that he will not violate any of the provisions of this act, and will endeavor to prevent anyone whom he carries on his boat from violating any of the provisions of this act, and that he will not carry any hunter on his boat who does not possess a hunting license. Whenever any boat owner or navigator fails or refuses to comply with any of the provisions of this section, the Game, Fish and Oyster Commissioner is authorized and empowered to cancel his license without a refund or return of the license fee paid; and no license shall be renewed or issued to him thereafter for a period of one year.

Any person who carries out any hunting parties for reward or pay of any kind without first having procured his license, as provided in this section, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Sec. 27a. It is hereby declared unlawful for any person or persons, who

may be acting as manager of any club, or the owner of any club, or shooting resort or shooting preserve, or premises leased for hunting purposes, to receive or accommodate a guest or member of said club, or shooting resort, or shooting preserve, or premises leased for hunting purposes, for pay, any person or persons engaged in hunting before such manager of such club, shooting resort, shooting preserve, or premises leased for hunting purposes, shall have applied for and received a license from the Game, Fish and Oyster Commissioner, or one of his deputies, granting him the right for the year beginning September 1 and ending August 31, following, to receive and accommodate guests at such club, shooting resort, shooting preserve, or premises leased for hunting purposes.

Before such license is issued the person applying for same shall pay to the Game, Fish and Oyster Commissioner the sum of five (\$5) dollars, and shall file with the Game, Fish and Oyster Commissioner the name of said club, shooting resort, shooting preserve or premises leased for hunting purposes, and shall file with the Game, Fish and Oyster Commissioner an affidavit that he will not violate any of the provisions of this section and will endeavor to prevent guests of said club, shooting resort, shooting preserve, or premises leased for hunting purposes from doing so, and that no guest will be accommodated who has not previously secured a hunting license.

All such managers of clubs, shooting resorts, shooting preserves and premises leased for hunting purposes shall be required to keep a suitable record book and each guest or member shall be required to register, showing his name and place of residence, license number, and a record of each day's kill of different birds and game, and a complete record must be made to the Game, Fish and Oyster Commissioner by such manager of club, shooting resort, shooting preserve or premises leased for hunting purposes, not later than February 10 of each year.

Whenever any manager of any club, shooting resort, shooting preserve or premises leased for hunting purposes, fails or refuses to comply with any of the provisions of this section, the Game, Fish and Oyster Commissioner is authorized and empowered to cancel his license without refund or return of the license fee, and no license shall be renewed or issued to such party, or parties, thereafter for a period of one year.

Any manager of any club, shooting resort, shooting preserve, or premises leased for hunting purposes, who accommodates hunters for reward, without

first having secured the necessary license as provided in this section, or failing to comply with all the provisions thereof, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined the sum of not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars. Such fines shall be placed to the special game fund.

For the purposes of carrying out the provisions of this section, it shall be the duty of the Game, Fish and Oyster Commissioner to have prepared and to furnish to all deputy game commissioners blank license with stubs attached, numbered serially, such license to be called "Shooting Preserve License." Such shooting preserve license shall have printed across the face the year for which it is issued, shall bear the name and address of the licensee, name of club, character of game found on such preserve or lease, and the expiration date of such licensee. Said license must bear the seal of the Game, Fish and Oyster Commission, and must be signed by the Commissioner or one of his deputies. On the reverse side of said license shall be printed the open seasons and bag-limit, as provided in this act.

Sec. 28. It shall be unlawful for any citizen of this State to hunt with a gun in this State without first having procured from the Game, Fish and Oyster Commissioner, or one of his deputies, or from a county clerk, a license to hunt, as hereinafter required as to State and county licenses. It shall also be unlawful for any non-resident of this State, or for any alien, to hunt with a gun in this State, without first having procured from the Game, Fish and Oyster Commissioner, or one of his deputies, or from a county clerk, a license to hunt.

The fee for a resident license, authorizing a person to hunt within the confines of the State of Texas, shall be two (\$2) dollars; and the sum of one (\$1) dollar shall be charged for license authorizing hunting within the county of the residence of the licensee; fifteen (15c) cents of such amount shall be retained by the officer issuing the license as his fee for collecting, issuing and making report on license so issued and for remitting the remainder to the Game, Fish and Oyster Commissioner.

The fee for a non-resident citizen, or alien, hunting license shall be twenty-five (\$25) dollars; three (\$3) dollars of such amount shall be retained by the officer issuing such license as his fee for collecting, issuing and making report on

license so issued and for remitting the remaining twenty-two (\$22) dollars to the Game, Fish and Oyster Commissioner.

Any person hunting with a gun in this State who fails or refuses, on demand by any officer in the field, to show to such officer the hunting license required of him by this section; shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Provided, that land owners and their children, and tenants and their children, may hunt, without a license, wild game birds and game animals during the open season when it is lawful to do so, upon the farm or ranch lands of which they are the owners or occupants.

Provided, also, that the provisions of this section, requiring hunting license shall not apply to persons under seventeen years of age.

Sec. 28a. Provided, further, that any person convicted of violating any provision of the game laws of this State shall thereby automatically forfeit his license for said season; and, provided, further, that any such person so convicted of violating the game laws shall not be entitled to receive from the State a license to hunt for one year immediately following the date of his conviction; and it shall be unlawful for any person who is convicted of violating any of the provisions of the game laws of this State to purchase or possess a hunting license for a period of one year immediately following date of such conviction; and it shall also be unlawful for any person convicted of violating any of the game laws of this State to hunt with a gun in this State for a period of one year immediately following date of such conviction.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than one hundred (\$100) dollars nor more than two hundred (\$200) dollars.

Sec. 29. Any person who shall hunt under the license issued to any other person, or any person who shall permit any other person to hunt under a license issued to him, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Sec. 30. All hunting licenses issued

shall have printed across their faces the year for which they are issued; they shall bear the name and address or residence of the person to whom issued and shall give the approximate weight, height, age, color of hair, and color of eyes of such person, in order that proper identification may be had in the field; and shall have printed thereon a statement, to be subscribed to in ink by the person to whom issued, that such person will not exceed in any one day, week or season the bag-limit as printed on the license; and any license issued or delivered, upon which this statement is not signed, is void. Such license shall be dated on the date of issuance, and shall remain in effect until the last day of August thereafter; and shall, when carried in the field, entitle the person to whom it is issued to hunt in any county in this State.

Sec. 31. The county clerk of each county in this State is hereby authorized to issue hunting licenses under his official seal to all persons complying with the provisions of this act, and shall fill out correctly and preserve for the use of the Game, Fish and Oyster Commissioner the stubs attached thereto; and the county clerk shall keep a complete and correct record of hunting licenses issued showing the name and place of residence of each licensee, and the serial number and date of the license issued. Said license stub and unused licenses shall be open at all times to inspection by any game deputy or any peace officer; and the county clerk shall, within ten days after the close of each calendar month, make out a detailed report under the seal of his office, showing the serial number and date of each license issued during the month covered by the report, and the name and address of the person to whom issued, and shall forward such report, with remittance of fees due the State, to the Game, Fish and Oyster Commissioner, at Austin, and said commissioner shall credit such county clerk with the amount so remitted. As soon as possible after the licenses in a license book have all been issued and only the stubs remain therein such county clerk shall forward such used license book to the Game, Fish and Oyster Commission at Austin, in order that such commission may furnish necessary information regarding holders of licenses to any officer in the State; and licenses shall be issued only in consecutive series, in order that only one license book shall

be in use by a single issuing agent at any given time.

Sec. 32. It shall be the duty of the Game, Fish and Oyster Commissioner to keep in his office at Austin a complete list of the license fees and fines collected; said record shall be kept open for the inspection of the State Comptroller and of the public. At the close of each calendar month the Game, Fish and Oyster Commissioner shall file with the Comptroller a report in writing showing all fines, licenses and other fees collected, their disposition and any other particulars which he may deem proper.

Sec. 33. All license fees and hunting boat registration fees collected under this act, and all fines and penalties and forfeitures of bonds imposed and collected for violation of any of the provisions of this act shall belong to the special game fund of this State and shall be paid over by the Game, Fish and Oyster Commissioner to the State Treasurer during the first week of each month, and shall be credited to such special game fund; and such fund shall be used solely for the purpose of wild bird and game protection; for the creation, purchase and maintenance of game sanctuaries and public hunting grounds; for the purchase, introduction, propagation and distribution of game and wild birds; for the dissemination of information pertaining to the conservation and economic value of wild animal life; and in the employment of special deputy game commissioners, payment of their necessary expenses, and the purchase and supply of means to enable the Game, Fish and Oyster Commissioner and his deputies to enforce the game laws of this State. All expenditures shall be verified by affidavit to the Game, Fish and Oyster Commissioner; and on the approval of such expenditures by the Game, Fish and Oyster Commissioner, or the chief deputy game, fish and oyster commissioner, it shall be the duty of the Comptroller of the State to draw his warrant on the Treasurer of the State for the amount of such expenditures in favor of the person claiming the same, such warrant to be paid out of the special game fund. All moneys and all balances now in such fund from moneys already paid into the State Treasury or that may hereafter be paid into said fund, through or because of this act, or made available as soon as paid into the State Treasury, and are hereby specifically appropriated to the use of the Game, Fish and Oyster

Commissioner for the several purposes herein specified, except no expenditure made from this fund for land or other real estate only upon the authorization of a majority vote of a council composed of the Game, Fish and Oyster Commissioner, the Attorney General of Texas and the State Comptroller, who shall act on this council during their respective terms of office.

Sec. 34. The Game, Fish and Oyster Commissioner and his deputies shall have the same power and authority as sheriffs to serve criminal processes in connection with cases growing out of the violation of this act, shall have the power as sheriffs to require aid in executing such process, and shall be entitled to receive the same fees as are provided by law for sheriffs in misdemeanor cases.

Said Commissioner, or any of his deputies, may arrest without warrant any person found by them in the act of violating any of the laws for the protection and propagation of game, wild birds or fish, and take such person forthwith before a magistrate having jurisdiction. Such arrest may be made on Sunday, and in which case the person arrested shall be taken before the magistrate having jurisdiction, and proceeded against as soon as may be, on a week day following the arrest.

Sec. 35. It is hereby made the special duty of the Game, Fish and Oyster Commissioner to enforce the statutes of this State for the protection and preservation of wild game and wild birds; and to bring or cause to be brought actions and proceedings in the name of the State of Texas to recover any and all fines and penalties provided for in the laws now in force, or which may hereafter be enacted relating to wild game and wild birds. Said Game, Fish and Oyster Commissioner may make complaint and cause proceedings to be commenced against any person for violating any of the laws for the protection and propagation of game birds without the sanction of the county in which such proceedings are commenced; and in such cases he shall not be required to furnish security for costs.

Sec. 36. It shall be the duty of the Game, Fish and Oyster Commissioner to appoint special deputy game commissioners who shall be ex officio deputy game, fish and oyster commissioners to enforce conservation laws in the various districts of the State, with all the powers of the latter to enforce the game, fish and oyster laws of this State. Such special deputy game com-

missioners shall not receive more than one hundred and fifty (\$150) dollars per month and expenses. Each such special deputy game commissioner shall take the oath of office and shall give a good and sufficient bond in the sum of one thousand (\$1000) dollars for the faithful performance of his duties, such bond to be approved by and filed with the Game, Fish and Oyster Commissioner. Such special deputy game commissioner shall hold office at the discretion of the Game, Fish and Oyster Commissioner and shall have all the power in the discharge of their duty as are conferred on the Game, Fish and Oyster Commissioner.

Sec. 37. The Game, Fish and Oyster Commissioner in order to enforce the conservation laws in the various sections of the State shall also have the power to appoint deputy game commissioners in any county of the State; and said deputies shall have in the discharge of their duties the same powers and authority as are herein provided for the Game, Fish and Oyster Commissioner, and shall be subject to the supervision and control of and removal by said Game, Fish and Oyster Commissioner. Such deputy game commissioners shall not receive more than three (\$3) dollars per day for each day of service performed, together with all necessary expenses incurred, when same have been rendered on sworn account, and when the performance of said services was authorized by the Game, Fish and Oyster Commissioner, the chief deputy commissioner, or a special deputy game commissioner, which account shall be approved by the Game, Fish and Oyster Commissioner or chief deputy commissioner, and paid on warrant drawn by the Comptroller.

Sec. 38. All special deputy game commissioners and deputy game commissioner are hereby empowered and required to enforce the game, fish and oyster laws of this State, and such deputy who violates such laws shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than one hundred (\$100) dollars nor more than two hundred (\$200) dollars.

Sec. 39. The Game, Fish and Oyster Commissioner shall appoint a chief deputy commissioner who shall maintain his office in the capitol of this State; and said chief deputy commissioner shall take the constitutional oath of office and shall act as general assistant to the said Game, Fish and Oyster Commissioner; and during the absence, sickness or disability of the commissioner

he shall exercise the duties of the said commissioner, said chief deputy commissioner shall devote his entire time to the work of his office. The chief deputy game, fish and oyster commissioner shall, before assuming the duties of his office, file with the Secretary of State a good and sufficient bond in the sum of five thousand (\$5000) dollars, conditioned on the faithful performance of the duties of his office, which bond shall be approved by the Game, Fish and Oyster Commissioner. It shall be the duty of the chief deputy of the Game, Fish and Oyster Commissioner to prepare and issue to each county clerk blank hunting licenses, with stubs attached, numbered serially; and said chief deputy commissioner shall cause an account to be opened in his office with each county clerk and charge said clerk with the number of licenses furnished him. He shall also open an account with each deputy of the Game, Fish and Oyster Commission and charge such deputy with the number of licenses furnished him. Said accounts shall show the serial number of such licenses.

Sec. 40. It shall be the duty of any justice of the peace, clerk of any court, or any other officer in this State receiving any fine or penalty imposed by any court for violation of any of the laws of this State pertaining to the protection and conservation of wild birds, wild animals, fish, oysters and other wild life, within ten days from and after the receipt or collection of such fine or penalty, to remit same to the Game, Fish and Oyster Commissioner at Austin, giving docket number of case, name of person fined, and section or article of the law under which conviction was secured, when such laws are required to be enforced by the Game, Fish and Oyster Commission.

A standing reward, payable to any person (excepting game commissioners and game wardens), signing any complaint against any person charged with the unlawful killing or possession of any deer or turkey, as in this statute provided, is hereby offered for the final conviction of such offender, to an amount equal to one-half of the assessed penalty; and the officer receiving such fine is hereby directed to pay one-half of the amount thereof to the person who made the complaint, and when remitting the other half of said fine to the Game, Fish and Oyster Commissioner, together with the information hereinbefore required, he shall include with same the receipt of the person who made the complaint and to whom said money was paid.

Sec. 41. Any person, firm or corporation owning and in possession of lands in the State of Texas may transfer by an instrument of writing, duly acknowledged before an officer authorized under the laws of this State to take acknowledgments, to the State of Texas the right to preserve, protect and introduce for propagation purposes any of the game birds or game animals mentioned in this act on the lands mentioned therein for a period of not to exceed ten years. Such instrument of writing shall be filed in the office of the Game, Fish and Oyster Commissioner, thereupon the Game, Fish and Oyster Commissioner may, at his discretion, declare the lands described in said instrument a State game preserve and thereafter, for the period named therein, shall for all the purposes relating to the preservation, protection and propagation of game birds and game animals be under the control of the Game, Fish and Oyster Commissioner. Providing that the aggregate acreage of all preserves which may be designated in any one county shall never exceed ten per cent of the total acreage of such county. Such preserves shall be numbered in the order of the filing of the instrument therefor. The Game, Fish and Oyster Commissioner shall cause notices to be prepared containing the words "State Game Preserve, Trespassing Prohibited" and to cause such notices to be posted at each gate or entrance thereto. All State game preserves established under the provisions of this act shall for all purposes of preservation, protection and propagation of game birds and game animals thereon be under the control and management of the Game, Fish and Oyster Commissioner, and he and his deputies may at all times enter in and upon such preserves in the performance of their duties.

It shall be unlawful for any person to hunt, pursue, shoot at, take, kill, destroy or in any manner molest any of the game birds or game animals within the exterior boundaries of any game preserve and any person who shall violate any provision of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars.

Sec. 42. It shall be the duty of the Game, Fish and Oyster Commissioner, and his deputies, in addition to their duties provided for in this act, to caution sportsmen and other persons while in the woods, marshes, or prairies of the State of danger from fire; and, to the extent of their power to extinguish all fires left burning by anyone, and to give

notice, when possible, to any and all persons interested of fires ranging beyond control to the end that same may be controlled and extinguished.

Sec. 43. The Game, Fish and Oyster Commissioner and his deputies shall at all times have the power to enter upon any land or water where wild game or fish are known to range or stay for the purpose of enforcing the game and fish laws of this State, and for the purpose of making scientific investigation or for research work as to such wild game or fish, and no action in any court shall be sustained against the Commissioner or any of his deputies to prevent their entrance upon lands or water when acting in their official capacity as herein set forth.

Sec. 44. For the purpose of this act any person, except an alien, who has been a bona fide resident of this State for a period of time exceeding six months continuously and immediately before applying for a hunting license, shall be considered a citizen of this State.

An alien is any person who is not a natural born American citizen, or who has not received final naturalization papers of United States citizenship.

A non-resident shall be any person who is a citizen of any other State, or who has not continuously or immediately previous to the time of applying for a hunting license been a bona fide resident of the State of Texas for a period of time more than six months.

Sec. 45. That Articles 874 to 900, inclusive, of the Penal Code of 1911; and Articles 4022 to 4092, inclusive, of the Revised Civil Statutes of 1911; and Chapter 123, Acts Regular Session Thirty-fourth Legislature, amending law relating to quail and doe in Penal Code of 1911, by adding Articles 889a and 889b; and Chapter 22 of the General Laws passed at the First Called Session of the Thirty-fourth Legislature; and Chapter 7 of the General Laws passed at the First Called Session of the Thirty-fifth Legislature; and Chapter 8 of the General Laws passed at the Third Called Session of the Thirty-fifth Legislature; and Chapter 72 of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature; and Chapter 157 of the General Laws passed at the Regular Session of the Thirty-sixth Legislature; and Chapter 72 of the General Laws passed at the Regular Session of the Thirty-seventh Legisla-

ture; and Chapter 85 of the Special Laws passed at the Regular Session of the Thirty-seventh Legislature; and Chapter 35 of the General Laws passed at the First Called Session of the Thirty-seventh Legislature; and Chapter 7 of the Special Laws passed at the Fourth Called Session of the Thirty-sixth Legislature; and Chapter 84 of the General Laws passed at the Regular Session of the Thirty-eighth Legislature; and Chapter 14 of the General Laws passed at the First Called Session of the Thirty-eighth Legislature, are hereby specifically repealed, and all other laws and parts of laws in conflict herewith be and the same are hereby repealed.

Sec. 46. If any paragraph, section or part of this act shall be held unconstitutional or inoperative it shall not affect any other paragraph, section or part of this act; and the remainder of this act, save the part declared unconstitutional or inoperative, shall continue to be in full force and effect.

Sec. 47. The fact that there are now no adequate laws for the preservation, propagation and protection of the wild game animals and birds of this State, which are rapidly disappearing, and that fair and just law enforcement can not be had under the existing statutes for the protection of wild birds and animals, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and said rule is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 6, to the Committee on Criminal Jurisprudence.

Senate bill No. 16, to the Committee on State Affairs.

Senate bill No. 51, to the Committee on Common Carriers.

ADJOURNMENT.

On motion of Mr. Teer, the House, at 5:05 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

State Affairs—House bill No. 292.

Insurance—House bill No. 113.

Agriculture—House bill No. 282.

Federal Relations—House bills Nos. 206, 199.

School Districts—House bills Nos. 212, 216, 267, 252, 169, 301; Senate bills Nos. 109, 108, 111, 65, 42, 80.

Judiciary—House bills Nos. 193, 263, 242.

Constitutional Amendments—House joint resolutions Nos. 5 and 6.

The following committees have today filed unfavorable reports on bills as follows:

State Affairs—House bill No. 183.

Revenue and Taxation—House bills Nos. 81, 46, 233.

Public Health—House bill No. 272.

Privileges, Suffrage and Elections—House bills Nos. 232, 269.

Constitutional Amendments—House joint resolutions Nos. 3, 4, 7.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 236, A bill to be entitled "An Act to repeal Chapter 134, of the Local and Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, being 'An Act to create a more efficient road law for Walker county, Texas,' etc., as amended by Chapter 6 of the Special Laws of the First Called Session of the Thirty-fourth Legislature of the State of Texas, and as further amended by Chapter 32 of the Special Laws of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, to place Walker county under the operation of the general road laws of the State of Texas, and providing that nothing in this act shall affect in anywise road bonds heretofore issued by said Walker county or any subdivision thereof, or impair any existing contract executed or entered into by the commissioners court of said Walker county pursuant to the special road

laws hereby repealed, and declaring an emergency."

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 23, A bill to be entitled "An Act regulating the lights and lighting and operation of motor vehicles, tractors, trailers, semi-trailers, motorcycles and bicycles in this State; prescribing the lights for such vehicles between the hours of half-hour after sunset and half-hour before sunrise; enacting the necessary penal provisions as to lights for such vehicles and headlight devices and headlight equipment for such vehicles; providing for tests and approval of headlighting devices and equipment; prescribing penalties for the violation of the provisions of this act, and declaring an emergency."

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 139, A bill to be entitled "An Act providing for the development and improvement of navigation of the inland coastal waters of this State pursuant to Section 59 of Article 16 of the State Constitution; providing for the preservation and conservation of inland and coastal waters of this State under said constitutional provision; providing for navigation districts; providing for the raising of the necessary funds, the issuance of bonds and the levying and collection of necessary taxes for such purposes; providing all things necessary and incident to such purpose and subject."

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 14, A bill to be entitled

"An Act to define and prohibit bucket shops and dealings therein; to regulate contracts for future delivery of cotton, etc.; to declare under what conditions such contracts shall be valid; to prescribe penalties for the violation of this act; and to repeal Articles 536 and 537 of Chapter 2, Title 11, and all of Chapter 3, of Title 11, of the Revised Penal Code of the State of Texas,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 181, A bill to be entitled "An Act to amend Section 2, Chapter 99 of the Local and Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, entitled 'An Act to change the boundaries of the Wichita Falls Independent School District in Wichita county, Texas,' and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 90, A bill to be entitled "An Act amending Article 5655 and Article 5685, Chapter 7, Title 86, Revised Civil Statutes of Texas, 1911, regarding instruments intended to operate as liens on personal property, and providing for the filing and registration thereof, and the effect of such instruments when not filed for registration, by adding thereto a provision in reference to the filing and registration of transfers of chattel mortgages, deeds of trust and other evidences of lien upon personal property,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 196, A bill to be entitled

"An Act to amend House bill No. 170, Chapter 22 of the Local and Special Laws passed by the Thirty-eighth Legislature, wherein the Higgins Independent School District was created containing certain land and premises situated in Lipscomb county, Texas; providing that the trustees of the district continue in office and that the trustees be seven in number; that the maintenance tax and bonds hereafter voted are hereby validated and shall remain in full force and effect; conferring upon said district and its officers all right, power, privilege and duties now conferred and imposed by the general laws of the State upon independent school districts, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 94, A bill to be entitled "An Act to amend Article 1610, Title 18 of the Penal Code of the State of Texas, relating to the modes of punishment of convicts, fixing punishment for violations thereof, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 214, A bill to be entitled "An Act creating and incorporating Center Independent School District No. 5, in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Center Independent School District shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School Dis-

trict No. 1, in Hockley county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Ropes Independent School District No. 1; providing that all property now vested in Ropes Independent School District No. 1, with its metes and bounds of Center Independent School District No. 5, as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provisions of this act shall not invalidate any remaining parts or provision, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,
Austin, Texas, February 2, 1925.

Hon. Lee Satterwhite, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 24, A bill to be entitled "An Act exempting from taxation institutions or organizations such as the Boy Scouts of America or local organizations of such a boy, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

SEVENTEENTH DAY.

(Tuesday, February 3, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Bartlett.
Albritton.	Bateman.
Alexander	Bean.
of Bastrop.	Bedford.
Alexander	Bird.
of Limestone.	Blount.
Atkinson.	Bonham.
Avis.	Brown.
Baker of Orange.	Bryant.
Baker of Panola.	Cade.
Barker.	Carter.
Barron.	Chitwood.

Coffey.	McGill.
Conway.	McKean.
Coody.	McNatt.
Covey.	Merritt.
Cox of Lamar.	Montgomery.
Cox of Navarro.	Moore.
Cummings.	Nicholson.
Dale.	Parish.
Daniels.	Pavlica.
Davis of Dallas.	Pearce.
Davis of Wood.	Perdue.
DeBerry.	Petsch.
Dielmann.	Poage.
Donnell.	Pool.
Downs.	Pope.
Dunn of Falls.	Powell.
Dunn of Hopkins.	Purl.
Durham.	Rawlins.
Enderby.	Raymer.
Farrar.	Renfro.
Faulk.	Rice.
Fields.	Robinson.
Finlay.	Rogers.
Florence.	Rowland.
Foster.	Runge.
Frnka.	Sanford.
Graves.	Shearer.
Hagaman.	Sheats.
Hall.	Simmons.
Harman.	Sinks.
High.	Smith of Nueces.
Hollowell.	Smith of Travis.
Hoskins.	Smyth.
Irwin.	Sparks.
Jacks.	Stautzenberger.
Jasper.	Stell.
Johnson.	Stevens.
Jones.	Stevenson.
Jordan.	Stout.
Justice.	Strong.
Kayton.	Taylor.
Kemble.	Teer.
Kenyon.	Thompson.
King.	Tomme.
Kinnear.	Veatch.
Kittrell.	Wade.
Laird.	Walker.
Lane of Hamilton.	Wallace.
Lane of Harrison.	Webb.
Lipscomb.	Wells.
Loftin.	Westbrook.
Low.	Wester.
Mankin.	Williamson.
Masterson.	Wilson.
McBride.	Woodruff.
McDonald.	Young.
McFarlane.	

Absent.

Gray.	McDougald.
Houston.	Rowell.

Absent—Excused.

Amsler.	Dinkle.
Bobbitt.	Dunlap.
Boggs.	Harper.